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FORT WILLIAM,  
LEGISLATIVE DEPARTMENT.

Tue 5th JULY, 1841.

The following Act passed by the Right Honble the Governor General of India in Council on the 5th of July 1841, is hereby promulgated for general information:

ACT No. X. of 1841.

An Act for prescribing the Rules to be observed, in order that ships or vessels belonging in ports within the territories under the Government of the East India Company, or belonging to Native Princes or States, or their subjects, may become entitled to the privileges of British ships under a proclamation of the Governor General of India in Council made in pursuance of the Stat. 3d and 4th Victoria Ch. LVI.

Preamble.

I. Whereas by a Statute passed in the 3d and 4th years of Her Majesty Queen Victoria, entitled "An Act to regulate the trade of ships built and trading within the limits of the East India Company's Charter," it is enacted, "that it shall be lawful for the Governor General of India in Council, by Proclamation, to declare that all ships or vessels built or to be built within the limits of the Charter of the East India Company, being owned by Her Majesty's subjects for whom the said Governor General in Council has power to legislate, and belonging, under the Regulations hereinafter provided for, to any ports in the territories under the Government of the said Company, shall be deemed to be British ships for all the purposes of trade within the said limits, including the Cape of Good Hope, and the territories and dependencies thereof; provided that upon such declaration being made the said Governor General in Council shall, and the said Governor General in Council is hereby accordingly empowered to make Regulations, to be enforced by suitable penalties, concerning the registering, licensing, and ascertaining the admeasurement of the tonnage and burden, and generally for the trading within the limits aforesaid of such ships or vessels." And whereas it is further enacted in the same Statute as follows, that is to say, "And whereas it may be expedient to admit to similar privileges and advantages any ships or vessels belonging to Native Princes or States in subordinate alliance with, or having subsidiary treaties with the East India Company, or owned by subjects of any such Princes or States, be it therefore enacted that the Governor General of India in Council may by such Regulations as aforesaid, such regulations being subject as aforesaid, admit to the privileges and advantages of British ships for the purposes of trade within the limits of the Charter of the said Company, including the Cape of Good Hope and the territories and dependencies thereof, or to any of such privileges and advantages, any ships or vessels belonging to such Princes or States, or any of them, or owned by subjects of any such Princes or States; but any such Regulations shall provide for the granting in such ships or vessels fit and convenient licences or passes, and generally for the trading within the limits aforesaid of such ships or vessels." And whereas in pursuance of such enactments it is expedient to frame such Regulations as are mentioned therein, the compliance with which shall be required in order that ships or vessels may be deemed British ships, or be admitted to the privileges and advantages of British ships under such Proclamation as aforesaid;

It is hereby enacted, that no ship or vessel shall be deemed a British ship under such Proclamation as aforesaid (except as regards ships or vessels registered before the passing of this Act, or having a pass at the time of passing thereof) unless the person or persons claiming property therein shall have caused the same to have been registered at some one of the ports hereinafter mentioned within the territories of the East India Company, and shall have obtained a certificate of such registry from the person or persons authorized to make such registry and grant such certificates as hereinafter directed; the form of which certificate shall be as follows:

"This is to certify, that in pursuance of the Act No. X of 1841, of the Governor General of India in Council (here insert the names and occupation and residence of subscribing owners) having made and subscribed the declaration required by the said Act and having declared that (he or they) together with (names, occupations and residences of non-subscribing owners,) (is or are) sole owner or owners, in the proportions specified on the back hereof, of the ship or vessel called the (ship's name) of (place at which the vessel shall be registered) which is of the burthen of (number of tons), and whereof (master's name) is master, and that the said ship or vessel was (when and where built) and (name and employment of Surveying Officers) having certified to us, that the said ship or vessel has (number) decks and (number) masts, that her (here insert the measurement as ascertained by the rules hereinafter mentioned) that she is (how rigged) rigged with a (standing or running) bowsprit, is (description of stern) sterned, (carvel or clinker) built, has (whether any or no) gallery, and (kind of head, if any) head: and the said subscribing owners having consented and agreed to the above description, the said ship or vessel called the (name) has been duly registered at the port of (name of port), certified under our hands at the Custom House, in the said port of (name of port), this (date) day of (name of month) in the year (words at length).

(Signed) Collector or Registrar of Shipping.

And on the back of such certificate of registry, there shall be an account of the parts or shares held by each of the owners mentioned and described in such certificate, in the form and manner following:

Names of several owners with- in mentioned.	Number of shares held by each owner.
Name .....	.....
Name .....	.....
Name .....	.....
	Thirty-two.
	Sixteen.
	Eight.
	&c. &c."

(Signed) Collector.

Part of Registry.

II. And it is hereby enacted, that the ports at which registration shall be made, shall be the ports of Calcutta, Madras, Bombay, Singapore and such other places subordinate to the local Governments of India, as such Governments respectively may, from time to time, declare to be registering ports under this Act. Provided, that ships or vessels built at any place other than any of such ports, shall be allowed to make their first voyage to any of such ports, being the ports at which it is intended they shall be registered, under a certificate to be granted by the principal British Officer at the place where the ship is built, or if there be no British Officer in authority there, then by three merchants of such place, which certificate shall con-

tain all the particulars with regard to the ownership and description of the ships or vessels contained in a certificate of registry, and shall specify the ports at which it is intended that they shall respectively be registered, and which certificate shall have all the effect of a certificate of registry under this Act, during the first voyage from the place of building to the ports at which the ships or vessels respectively, shall be afterwards registered. Provided that such ships or vessels so proceeding on their first voyage as aforesaid shall be deemed British ships only whilst duly prosecuting such first voyage for the purpose of registry, and if they be not registered within a reasonable time after their arrival at the port of registry the owner or owners, or master or other person having or taking the command or charge of such ship or vessel shall be liable on information to any Court of Her Majesty or the East India Company by the Advocates General of the respective Presidencies to a penalty not exceeding 5,000 rupees.

III. And it is hereby enacted, that the persons authorized to make such registry, and to grant such certificates as aforesaid, shall be the persons now authorized to make registry of ships or vessels under the Statute 3 and 4 W. 4. Ch. 33, and such other or different persons as the local Governments may from time to time appoint for the ports under their respective Presidencies.

IV. And it is hereby enacted, that at every port where registry shall be made in pursuance of this Act a book shall be kept by the Registering Officer in which all the particulars contained in the form of the certificate of the registry hereinbefore directed to be used shall be duly entered; and every registry shall be numbered in progression beginning such progressive numeration at the commencement of each and every year. And such Registering Officer shall forthwith, or within one month at the furthest, send to the Government of the Presidency to which he is subordinate a true and exact copy, together with the number of every certificate which shall be by him so granted.

V. And it is hereby enacted, that no registry shall henceforth be made or certificate be granted, until the following declaration be made or subscribed before the Registering Officer, by the owner or major part of the owners of the ship or vessel required to be registered.

I, A. B., of (place of residence and occupation) do truly declare that the ship or vessel (name) of (port or place) whereof (master's name) is at present master, being (kind of hull, burthen, &c. &c.), as described, in the certificate of the Surveying Officer was (when and where) built, and that I the said (A. B.) and the other owners (names and occupations if any and where they respectively reside) am (or are) sole owner (or owners) of the said vessel, and that no other person or persons whatever hath or have any right, title, interest, share, or property therein or thereto; and that I the said (A. B.) and the said other owners (if any) am (or are) truly and bona fide a subject (or subjects) of Her Majesty for whom the Governor General of India in Council has power to legislate, and that no person not being subject as aforesaid, directly or indirectly, hath any share or part interest in the said ship or vessel. Provided that if the Registering Officer shall see occasion to doubt the truth of any of the facts contained in the above declaration he shall not deem such declaration to be conclusive, but may refuse the registry or certificate, and his discretion exercised in this behalf shall be subject only to an appeal to the local Government to which he is subordinate.

VI. And it is hereby enacted, that in case the required number of joint owners of any ship or vessel shall not personally attend, to make and subscribe the declaration hereinbefore directed to be made and subscribed, then and in such case such owner or owners as shall personally attend and make and subscribe the declarations aforesaid, shall further declare that the part owner or part owners of such ship or vessel then absent, is or are not resident within twenty miles of such port or place, and hath or have not to the best of his or their knowledge or belief, wilfully absented himself or themselves in order to avoid the making the declaration hereinbefore directed to be made and subscribed, or is or are prevented by illness from attending to make and subscribe the said declaration.

VII. And in order to enable the Registering Officer to grant a certificate truly and accurately describing every ship or vessel to be registered in pursuance of this Act, and also to enable all other Officers of Customs on due examination, to discover whether any such ship or vessel is the same with that for which a certificate is alleged to have been granted, it is hereby enacted, that previous to the registering or granting of any certificate of registry as aforesaid some one or more person or persons appointed by the local Governments respectively, taking to him or their assistance, if he or they shall judge it necessary, one or more person or persons skilled in the building and admeasurement of ships, shall go on board of every such ship or vessel that is to be registered, and shall strictly and accurately examine and

particular contained in the form of the certificate hereinbefore directed in the presence of the master, or of any other person who shall be appointed for that purpose on the part of the owner or owners, or in his or their absence by the said master, and shall deliver a true and just account in writing of all such particulars of the built, description, and admeasurement of every such ship or vessel as are specified in the form of the certificate above recited to the Officer authorized to make such registry and grant such certificate of registry as aforesaid; and the said master or other person attending on the part of the owner or owners is hereby required to sign his name also to the certificate of such Surveying or Examining Officer, in testimony of the truth thereof, provided such master or other person shall consent and agree to the several particulars set forth and described therein.

VIII. And it is hereby enacted, that from and after the commencement of this Act the tonnage of every ship or vessel required by law to be registered, shall, previous to her being registered, be measured and ascertained while her hold is clear, and according to the following rule: (that is to say) divide the length of the upper deck between the afterpart of the stem and the forepart of the stern post into six equal parts. Depths: at the foremost, the middle, and the aftermost of those points of division, measure in feet and decimal parts of a foot the depths from the underside of the upper deck to the ceiling at the timber wale. In the case of a break in the upper deck, the depths are to be measured from a line stretched in a continuation of the deck. Breadths: divide each of those three depths into five equal parts and measure the inside breadths at the following points, to-wit: at one-fifth and at four-fifths from the upper deck of the foremost and aftermost depths, and at two-fifths and four-fifths from the upper deck of the midship depth. Length: at half the midship depth measure the length of the vessel from the afterpart of the stem to the forepart of the stern post, then to twice the midship depth add the foremost and the aftermost depths for the sum of the depths; add together the upper and lower breadths at the foremost division, three times the upper breadth, and the lower breadth at the midship division, and the upper and twice the lower breadth at the after division, for the sum of the breadths; then multiply the sum of the depths by the sum of the breadths, and this product by the length, and divide the final product by three thousand five hundred, which will give the number of tons for register. If the vessel have a poop or half deck, or a break in the upper deck, measure the inside mean length, breadth and height of such part thereof as may be included within the bulk head; multiply these three measurements together, and dividing the product by 92.4 the quotient will be the number of tons to be added to the result as above found. In order to ascertain the tonnage of open vessels, the depths are to be measured from the upper edge of the upper strake.

IX. And it is hereby provided, that in each of the several rules hereinbefore prescribed, when applied for the purpose of ascertaining the tonnage of any ship or vessel propelled by steam, the tonnage due to the cubical contents of the engine room shall be deducted from the total tonnage of the vessel as determined by either of the rules aforesaid, and the remainder shall be deemed the true register tonnage of the said ship or vessel. The tonnage due to the cubical contents of the engine room shall be determined in the following manner; that is to say, measure the inside length of the engine room in feet and decimal parts of a foot from the foremost to the aftermost bulk head; then multiply the said length by the depth of the ship or vessel at the midship division as aforesaid, and the product by the inside breadth at the same division at two-fifths of the depth from the deck taken as aforesaid, and divide the last product by 92.4, and the quotient shall be deemed the tonnage due to the cubical contents of the engine room.

X. And it is hereby provided, that the tonnage due to the cubical contents of the engine room and also the length of the engine room shall be set forth in the certificate of registry as part of the description of the ship or vessel, and that any alteration of such tonnage due to the cubical contents of the engine room, or of such length of the engine room, after registry, shall be deemed to be an alteration requiring registry de novo within the meaning of this Act for the registering of ships or vessels.

XI. And it is hereby enacted, that for the purpose of ascertaining the tonnage of all such ships, whether belonging to the United Kingdom or otherwise, as there shall be occasion to measure while their cargoes are on board, the following rule shall be observed and is hereby established: (that is to say,) measure first the length on the upper deck between the afterpart of the stem and the forepart of the stern post; secondly, the inside breadth on the underside of the upper deck at the middle point of the length; and, thirdly, the depth from the underside of the upper deck down the pump well to the ship, multiply these three dimensions

together, and divide the product by one hundred and thirty, and the quotient will be the amount of the register tonnage of such ships.

**Registered tonnage to be marked.** XII. And it is hereby enacted, that the true amount of the register tonnage of every merchant ship or vessel belonging to the

United Kingdom, to be ascertained according to the rule by this Act established in respect of such ships, shall be deeply carved or cut in figures of at least three inches in length on the main beam of every such ship or vessel, prior to her being registered.

**Country Craft not exceeding 200 tons.** XIII. And it is hereby provided that Country Craft employed in Coastal Voyages not exceeding the burden of 200 tons,

may be registered and the tonnage marked according to rules to be prescribed from time to time by the respective local Governments.

**Registered tonnage to be repeated in every subsequent register.** XIV. And it is hereby enacted, that whenever the tonnage of any ship or vessel shall have been ascertained according to the rules herein prescribed such

account of tonnage shall ever after be deemed the tonnage of such ship or vessel, and shall be repeated in every subsequent registry of such ship or vessel, unless it shall happen that any alteration has been made in the form of burthen of such ship or vessel, or it shall be discovered that the tonnage of such ship or vessel had been erroneously taken and computed.

**Fraudulent use of Certificate.** XV. And it is hereby enacted, that if such certificate as aforesaid shall be sold, lent, or otherwise disposed of to any person or persons whatever than those for whose use it is granted, or shall be made use of for the service of any other ship or vessel than the ship or vessel for which it is granted, such certificate shall thenceforth be utterly void, and the master or any owner of the ship or vessel who shall be proved to have sold, lent, or disposed of such certificate or made use of the same as aforesaid, or shall have concurred in or been privy to the committing any such offence, shall be liable upon conviction by information as aforesaid to a penalty not exceeding 10,000 rupees. And in case such ship or vessel shall be lost or taken by the enemy, burnt, or broken up, or otherwise prevented from returning to the port at which she is registered, or shall in any account have lost and forfeited the privileges of a British ship, or shall have been seized and legally condemned for illicit trading, or shall have been taken in execution for debt and sold by due process of law, or shall have been sold to the Crown, or the East India Company, or shall under any circumstances have been registered de novo, the certificate, if preserved, shall be delivered up, within one month after the arrival of the master in any port or place in the territories of the East India Company to the Registering Officer at such port, in default whereof the master or any of the owners shall be liable on conviction by information as aforesaid in a penalty not exceeding 5,000 rupees. And if any person not being such subject as aforesaid shall purchase or otherwise become entitled to the whole or to any part or share of or any interest in such ship or vessel, and the same shall be within the limits of any port of the territories of the East India Company, then and in such case the certificate of registry shall within seven days after such purchase or transfer of property in such ship or vessel, be delivered up to the Registering Officer at such port, and if such ship or vessel shall be in any place not within the territories of the East India Company when such purchase or transfer of property shall take place, then the certificate shall be delivered up within fourteen days after the arrival of such ship or vessel, or of the master thereof in any port of the territories of the East India Company to the Registering Officer at such port in default whereof the master or any of the owners shall be liable on conviction before any Justice of the Peace in a penalty not exceeding 5,000 rupees recoverable in manner provided by Act No. 2 of 1859.

**Change of Master.** XVI. And it is hereby enacted, that when and so often as the master of any ship or vessel registered in manner herein before directed shall be changed, the master or owner of such ship or vessel shall deliver to the person or persons hereinbefore authorized to make such registry and grant such certificates of registry at the port where such change shall take place, (if it be a port within the territories of the East India Company, the certificate of registry belonging to such ship or vessel), who shall thereupon inform and subscribe a memorandum of such change, and shall forthwith give notice of the same to the proper officer of the port or place where such ship or vessel was last registered pursuant to this Act, who shall likewise make a memorandum of the same in the book of registers which is hereby directed and required to be kept, and shall forthwith give notice thereof in like manner as of the original entry. But if the change do not take place in any port within the territories of the East India Company, then such delivery, memorandum and information shall be made and notice given at the

first port within the territories of the East India Company at which the new master shall arrive after such change. In default of which delivery of the certificate such new master or any of the owners shall be liable on conviction before a Justice of the Peace, to a penalty not exceeding 5,000 rupees recoverable as aforesaid.

**Name of Ship.** XVII. And it is hereby enacted, that it shall not be lawful for any owner or owners of any ship or vessel, to give any name to such ship or vessel other than that by which she was first registered in pursuance of this Act, and that the owner or owners of all and every ship or vessel which shall be so registered, shall, before such ship or vessel after such registry, shall begin to take in any cargo, paint or canoe to be painted, in white or yellow letters of a length of not less than four inches, upon a black ground on some conspicuous part of the stern, the name by which such ship or vessel shall have been registered pursuant to this Act, and the port to which she belongs in a distinct and legible manner, and shall so keep and preserve the same, and that if such owner or owners, or master or other person having or taking the charge or command of such ship or vessel, shall permit such ship or vessel to begin to take in cargo before the name of such ship or vessel has been so painted as aforesaid, or shall wilfully alter, erase, obliterate, or in any wise hide or conceal, or cause or procure or permit the same to be done or shall in any written or printed paper, or other document describe such ship or vessel by any name other than that by which she was first registered pursuant to this Act, or shall verbally describe, or cause or procure or permit such ship or vessel to be described by any other name to any Officer or Officers of Revenue in the due execution of his or their duty, then and in every such case the certificate of registry shall thenceforth become utterly void, and such owner or owners, or master or other person having or taking the charge or command of such ship or vessel shall be liable on information as aforesaid to a penalty not exceeding 10,000 rupees.

**Certificate of building.** XVIII. And it is hereby enacted, that all and every person and persons who shall apply for a certificate of the registry of any ship or vessel shall, and they are hereby required to produce to the person or persons authorized to grant such certificate, a true and full particular under the hand of the builder of such ship or vessel, or in case the want of such certificate can be satisfactorily accounted for, then to produce other sufficient evidence of the proper denomination, and of the time when and the place where such ship or vessel was built, and also an exact account of the tonnage of such ship or vessel, and shall also make and subscribe a declaration before the person or persons hereinbefore authorized to grant such certificate that the ship or vessel for which such certificate is required is the same with that which is so described by the builder as aforesaid.

**Certificate lost or mislaid.** XIX. And it is hereby enacted, that if the certificate of registry of any ship or vessel shall be lost or mislaid, so that the same cannot be found or obtained for the use of such ship or vessel when needful, and proof thereof shall be made to the satisfaction of the Registering Officer of the port at which the ship is registered, such Officer shall and may, where the certificate shall have been lost or mislaid, permit such ship or vessel to be registered de novo, and a certificate thereof to be granted. Provided always that if such ship or vessel be absent and far distant from the port to which she belongs, or by reason of the absence of the owner or owners, or of any other impediment, registry of the same cannot then be made in sufficient time, such Registering Officer shall and may grant a license for the present use of such ship or vessel, which license shall for the time and to the extent specified therein, and no longer, be of the same force and virtue as a certificate of registry granted under this Act. Provided always that if the certificate of registry shall at any time afterwards be found, the same shall be forthwith delivered to the proper Officers of Customs to be cancelled, and that no illegal use be made of the same, in default whereof the original certificate and the renewed certificate and license shall thenceforth become utterly void, and any person wilfully obtaining the certificate so required to be cancelled, or making any illegal use thereof, shall be liable on conviction before any Justice in a penalty not exceeding 5,000 rupees recoverable as aforesaid.

**Detention of Certificate.** XX. And whereas it is not proper that any person under any pretence whatever should detain the certificate of registry of any ship or vessel, or hold the same for any purpose other than the lawful use and navigation of the ship or vessel for which it was granted, it is therefore hereby enacted, that in case any person who shall have received or obtained by any means or for any purpose whatever the certificate of the registry of any such ship or vessel (whether such person shall claim to be the master or to be the owner or one of the owners of such ship or vessel or not) shall wilfully detain and refuse to deliver



up the same to the proper Officers of Customs, for the purposes of such ship or vessel, as occasion shall require, or to the person or persons having the actual command, possession, and management of such ship or vessel as the ostensible and reputed master, or as the ostensible and reputed owner or owners thereof, it may and shall be lawful to and for any such last mentioned person to make complaint on oath of such detainer and refusal in any Justice of the Peace residing near to the place where such detainer and refusal shall be, and on such complaint the said Justice shall and is hereby required by warrant under his hand and seal, to cause the person so complained against to be brought before him to be examined touching such detainer and refusal, and if it shall appear to the said Justice on examination of such person or otherwise that the said certificate of registry is not lost or mislaid, but is wilfully detained by the said person, such person shall be subject on conviction before such Justice to a penalty not exceeding 1,000 rupees, recoverable as aforesaid, and the said Justice shall, and he is hereby required to certify the aforesaid detainer, refusal, and conviction to the person or persons who granted such certificate of registry for such ship or vessel who shall, on the terms and conditions of law being complied with make registry of such ship or vessel de novo, and grant a certificate thereof conformably to law, notifying on the back of such certificate the ground upon which the ship or vessel was so registered de novo; and if the person who shall have detained and refused to deliver up such certificate of registry as aforesaid, or shall be verily believed to have detained the same, shall have absconded so that the said warrant of the Justice cannot be executed upon him, and proof thereof shall be made to the satisfaction of the Registering Officer of the port at which the ship or vessel was registered, it shall be lawful for the said Officer to permit such ship or vessel to be registered de novo, or otherwise, in his discretion, to grant a license for the present use of such ship or vessel in like manner as is heretofore provided in the case wherein the certificate of registry is lost or mislaid.

**XXI.** And it is hereby enacted, that if any ship or vessel after she shall have been registered pursuant to the directions of this Act, shall in any manner whatever be altered so as not to correspond with all the particulars contained in the certificate of her registry, or if any alteration shall take place in the ownership of any ship or vessel, or of any share or shares thereof, in such cases such ship or vessel shall be registered de novo in manner heretofore required as soon as she returns to the port to which she belongs, or to any other port within the territories of the East India Company, on failure whereof such ship or vessel shall be deemed to be a ship or vessel not duly registered, and any person making use of a certificate for the purposes of any ship or vessel which has been granted in respect of the same, after the same ought to have been registered, de novo, shall be liable on conviction before any Justice to a penalty not exceeding 5,000 rupees recoverable as aforesaid.

**XXII.** And whereas great inconvenience may arise from the Registering Officers being served with subpoenas requiring them to bring with them and produce, on trials in Courts of Law relative to the ownership of vessels, or otherwise the declarations required to be taken by the owners thereof prior to the registering thereof, and the books of registry, or copies or extracts therefrom. And whereas it would tend much to the dispatch of business if the attendance of such Registering Officers with the same upon such trials were dispensed with, it is therefore hereby enacted, that the Registering Officer at any port or place, and the person or persons acting for them respectively, shall, upon every reasonable request by any person or persons whomsoever, produce and exhibit for his, her or their inspection and examination any declaration made by any such owner or owners, and also any register or entry in any book or books of registry required, and shall upon every reasonable request by any person or persons whomsoever, permit him, her, or them to take a copy or copies, or an extract or extracts thereof respectively, and that the copy and copies of any such oath or declaration, registry or entry, shall upon being proved to be true copy or copies thereof respectively, be allowed and received as evidence upon every trial at law, without the production of the original or originals, and without the testimony or attendance of any Registering Officer, or other person or persons acting for them respectively, in all cases, as fully and to all intents and purposes as such original or originals if produced by any Registering Officer, or other person or persons acting for them, could or might legally be admitted or received in evidence.

**XXIII.** And it is hereby enacted, that if any person or persons shall falsely make declaration to any of the matters heretofore required to be verified by declaration, or if any person or persons shall counterfeit, erase, alter, or falsify any certificate of other

instrument in writing required or directed to be obtained, granted, or produced by this Act, or shall knowingly or wilfully make use of any certificate or other instrument so counterfeited, erased, altered, falsified, or shall wilfully grant such certificate or other instrument in writing, knowing it to be false, such person or persons shall for every such offence be liable on conviction upon information as aforesaid to a penalty not exceeding 10,000 rupees. And if any such offence be committed by the owner of any ship or vessel, the certificate of such ship or vessel shall thenceforth be wholly void.

**XXIV.** And it is hereby enacted, that when any ship or vessel duly registered under this Act, or sailing under the British Navigation Law, shall come to be owned by a Native Prince or State, or by any subject of such Native Prince or State as aforesaid, it shall be lawful for the Governor of Fort William in Bengal, or for the Governor in Council of any Presidency, to continue to such ship or vessel the privileges and advantages of a British ship for the purposes aforesaid by a pass to be issued under the Company's Seal and subscribed by a Secretary to Government, stating the voyage or voyages for which the same is to have effect, and the period for which it is to last; and it shall be lawful for the Governor of Fort William in Bengal, or the Governor in Council of any Presidency, to issue a similar pass conferring the privileges and advantages of a British ship for the purposes aforesaid under this Act to any ship or vessel built within the dominions of such Native Prince or State, and owned by such Prince or State, or by any of their subjects, provided always, that the ships belonging to Native Princes or States, or their subjects, in respect of which passes may be granted under this Act shall, during the voyage or voyages, or the period for which any such pass shall be granted be commanded by a subject of Her Majesty for whom the Governor General in Council has power to legislate.

**XXV.** And it is hereby enacted, that the fees demandable in respect of the granting any certificate or pass under this Act shall be fixed from time to time according to the directions of the Governor General in Council, but so that the same shall not exceed the amount of fees now payable for registering or granting passes to ships or vessels at the different Presidencies.

**XXVI.** And it is hereby enacted, that all ships or vessels registered under this Act, shall be deemed to belong to the ports at which they shall be respectively registered. And all ships or vessels being registered or in respect of which passes may have been granted which are unexpired at the time of passing this Act, shall for the purpose of being deemed British ships be deemed to belong to the ports at which they may have been registered or when passes shall have been granted which are unexpired, at which such passes may have been respectively granted. And such ships or vessels built and owned as required by the Statute 3 and 4 Vict. Ch. 26, shall continue subject in all the rules in force in the respective Presidencies before the passing of this Act, touching the registering, measurement, granting passes or other regulations in respect of the same, and shall not be subject to the provisions of this Act, or any provisions of the Statute law, a compliance with which may heretofore have been necessary in order that ships or vessels built and owned as aforesaid might be deemed British ships for the purposes of trade.

T. H. MADDOCK,

Secy. to the Govt. of India.

# PROCLAMATION.

The Governor General of India in Council hereby declares that all ships and vessels built or to be built within the limits of the Charter of the East India Company (as those limits are defined by the Statute 3d and 4th of Queen Victoria Cap. 86 entitled "An Act further to regulate the trade of ships built and trading within the limits of the East India Company's Charter,") being owned by Her Majesty's subjects for whom the said Governor General in Council has power to legislate and belonging under the provisions of the Act passed by the Governor General in Council No. X. of 1841, to any ports in the territories under the Government of the East India Company shall be deemed to be British ships for all purposes of trade within the said limits, including the Cape of Good Hope and the territories and dependencies thereof.

By Order of the Right Honble the Governor General of India in Council,

T. H. MADDOCK,

Secy. to the Govt. of India.

Fort William, the 26th July, 1841.

**FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,**

THE 5TH JULY, 1841.

The following Act passed by the Right Hon<sup>ble</sup> the Governor General of India in Council on the 5th of July 1841, is hereby promulgated for general information.

ACT No. XI. OF 1841.

*An Act for consolidating and amending the Regulations concerning Military Courts of Requests for Native Officers and Soldiers in the Service of the East India Company.*

I. It is hereby enacted, that all Regulations and parts of Regulations concerning Military Courts of Requests are repealed; provided always that nothing in this Act contained shall be held to alter or affect the jurisdiction of a single Officer duly authorized and appointed under the Rules in force in the Madras and Bombay Presidencies for the trial of small suits in Military Bazars at Cantonments and Stations occupied by the troops of those Presidencies respectively, or the trial by Panchayat of suits against Military persons according to the Rules in force under the Madras Presidency.

II. And it is hereby enacted, subject to the aforesaid proviso, that within the territories of the East India Company actions of debt and other personal actions against Native Officers, Soldiers and other persons amenable to Articles of War for the Native Forces in the Military Service of the East India Company, or residing within any Station or Cantonment, and carrying on any trade or business in a Military Bazar, shall be cognizable before a Military Court and not elsewhere, provided the value in question shall not exceed 200 Rupees, and the defendant was a person of the description above mentioned, when the cause of action arose, and when the suit was instituted. Provided that no suit shall be brought before any Military Court under this Act to determine any dispute of caste or concerning any right to real property.

III. And it is hereby enacted, that the Commanding Officer of any Station or Cantonment, or Officer commanding any portion of Troops in the field, is authorized to convene such Military Courts. And such Courts shall be composed, according to the orders of the Commander in Chief for the time being of the Presidency within which the Station or Cantonment is situate, or, in the absence of such orders, according to the discretion of the Convening Officer, either of not less than three European Commissioned Officers, or of not less than three Native Commissioned Officers, and, in the latter case, with an European Officer of not less than five years' standing, to superintend and record the proceedings. Provided that if there be not a sufficient number of Officers to constitute a Court at the Station or Cantonment where any cause of action may arise, or where the defendant may be residing, the suit shall be determined at the nearest Station or Cantonment where a Military Court can be duly constituted as aforesaid.

IV. And it is hereby enacted, that such Military Courts shall be convened monthly, and shall be holden on some convenient day before the issue of the pay for each month.

V. And it is hereby enacted, that the forms of proceeding in every such Court shall be conformable to the usages observed on trials before Courts Martial held for the Native Troops in the service of the East India Company as far as the same are applicable. And any such Court shall have the like power of summoning witnesses as is possessed by Courts Martial. Provided always, that every such Court shall have the power of examining the parties to any suit and of requiring or dispensing with their attendance at its discretion. And every such Court shall have the like power of taking the examinations of absent parties and witnesses as is possessed by the Civil Courts of the East India Company, under Act No. VII. of 1841, provided that the depositions taken under a Commission issued by any Military Court of Requests shall be receivable in evidence before any such Court subsequently held; Provided also that Commissions may be issued by Military Courts of Requests under this Act pursuant to the provision of No. VII. of 1841, notwithstanding the Courts to which the Commissions may be directed are not situate beyond the jurisdiction of such Military Courts.

VI. And it is hereby enacted, that witnesses omitting to attend, refusing to give evidence, or committing

perjury, and persons suborning witnesses to commit perjury, shall be tried and punished, if amenable to Articles of War, by a Court Martial, subject to all the Rules contained in such Articles of War for the punishment of such offences in regard to trials for Military offences; and if not amenable to Articles of War, they may be tried and punished in the nearest of the Courts of the East India Company for the administration of Criminal Justice (whether such Court have ordinarily jurisdiction over such person in Criminal matters or not) in like manner as if such offences had been committed in regard to any trial before such nearest Court.

VII. And it is hereby enacted, that any person, Civil or Military, European or Native, using menacing words, signs, or gestures, or otherwise interrupting (whether being personally present or not,) the proceedings of any Military Court of Requests shall be punishable, if amenable to Articles of War by a Court Martial, or if not amenable to Articles of War, in the nearest of the Courts of the East India Company for the administration of Criminal Justice (whether such Court have ordinarily jurisdiction over such person in Criminal matters or not,) in like manner as if the offence had been committed in regard to any proceeding of the Court to which it is so referred.

VIII. And it is hereby enacted, that a record shall be kept of proceedings in every case tried before any Military Court of Request. And such record shall contain the substance of the evidence given, and the nature of such evidence as may have been rejected on the ground of its not being legally admissible, or relevant, or on other grounds, and the same shall be signed by the Members of the said Court. And such record or a copy thereof shall, with as little delay as is practicable, after the conclusion of the proceedings, be transmitted by the European President, or Superintending Officer of every such Court to the Officer Commanding the Station or Cantonment.

IX. And it is hereby enacted, that where a demand shall exceed the amount of 200 Rupees, or where several separate demands shall exceed such amount, no more shall be recoverable from any one defendant by the same plaintiff or plaintiffs than the sum of 200 Rupees only—and the judgment in respect of any demand in a Court of Requests shall be a bar to the recovery of the same demand or of any other or further demand for the same cause of action in any other Court whatever, provided that the liability accrued before the time of instituting the suit in the Military Court—and it shall be competent for every such Military Court to investigate any counter-claim alleged by any defendant. And it shall be competent for every such Military Court to allow the interest for money agreed on between the parties, provided the same does not exceed the usage of the country in ordinary money transactions. And every contract made after the passing of this Act upon which a demand for debt exceeding 20 Rupees is founded, not being money due for goods bought and delivered, shall be in writing and expressed in the language of the defendant and signed by him, or on his behalf by some other person than the plaintiff. Provided that it shall not be competent to any Court of Requests to admit any suit for a debt which has accrued upwards of six years, unless a direct promise to pay made within six years of the commencement of the suit be proved.

X. And it is hereby enacted, that on failure of either of the parties to a suit to attend either personally or by representative, or to produce his witnesses according as he shall be required by any Military Court of Requests, such Court on being satisfied that the party has been duly apprized of what is required of him, may proceed to the termination of the suit in his absence. And if the decree in any such case shall be against the plaintiff, it shall not be competent for him to commence a new suit for the same cause of action.

XI. And it is hereby enacted, that it shall be lawful for the Commanding Officer to whom the proceedings have been transmitted as aforesaid to return the same for revision either by the same or another Military Court of Requests; And in every such case the second decree shall be final, unless for error in points of law, when the same shall be transmitted to the Commander in Chief, who shall have power to annul the proceedings without prejudice to any future suit. Provided always that in the case of any new trial the Court may receive evidence which was not adduced at the first trial.

XII. And it is hereby enacted, that every plaintiff shall prefer his claim in writing and shall deliver

the same to the Station Staff-Officer. The claims shall be entered in a Schedule by the Station Staff-Officer, which Schedule is to be sent to Adjutants of Corps or Heads of Departments two days at least before the assembly of the Court, and the Adjutants or Heads of Departments shall be responsible that the defendants belonging to their respective Corps or Establishments have been duly summoned.

XIII. And it is hereby enacted, that every decree of any Military Court of Requests shall be published in the Station Orders before the same is executed.

XIV. And it is hereby enacted, that the execution of decrees of Military Courts of Requests may be either general or special, according to the sentence of the Court. Provided always that the Commanding Officer may, notwithstanding the direction of the Court, order that the execution shall be general or special at his discretion.

XV. And it is hereby enacted, that in cases in which the execution is to be general, the debt if not paid forthwith, shall, under the authority of the Commanding Officer in writing to be signed by him, be levied by seizure and public sale of such of the Debtor's Goods (under which term are included houses or other erections within the limits of Stations and Cantonments) as may be found within the limits of the Station or Cantonment, or elsewhere; and if sufficient Goods are not to be found, the debtor, if not a Soldier, shall be arrested and imprisoned in any Civil Gaol near to the Station or Cantonment, (for which purpose the provisions of Act No. 2 of 1840 shall be applicable) or in any other convenient place of confinement situate within the limits of the Station or Cantonment, for the space of two months, unless the debt be sooner paid, and his Goods, if found within the limits of the Station or Cantonments or elsewhere at any subsequent time, shall be liable to be seized

and sold in satisfaction of the debt. And if the debtor be a Soldier and the debt be not liquidated by sale of his Effects, Accoutrements and Necessaries excepted, an order may be issued for payment of the residue by monthly deduction from the pay issued to the debtor under the Rules which follow.

XVI. And it is hereby enacted, that where the execution is to be special, the debt shall be satisfied out of the pay and allowances of the debtor and not otherwise. And a certificate of the decree and direction or order thereon certified under the hand of the Commanding Officer and signed by him, shall be a sufficient authority for making such stoppages. Provided always that no more than one half of the pay and allowances of any Commissioned Officer, or than one-fourth of the pay and allowances of any non-Commissioned Officer or Soldier shall be stopped in any one month.

XVII. And it is hereby enacted, that in places beyond the Frontier of the Territories of the East India Company, actions of debt and other personal actions may be brought before such Military Courts as aforesaid against persons so amenable as aforesaid for any amount of demand: Provided that such Military Courts beyond the Frontier shall be composed of European Officers—and provided, that if the amount of claim shall exceed 200 Rupees an appeal shall lie to the Court of Sudder Adawlut of the nearest Presidency according to the rules in force with regard to appeals from subordinate Civil Courts.

XVIII. And it is hereby enacted, that this Act shall not affect the proceedings upon any suit heretofore commenced or which shall be commenced before the tenth day of August next.

T. H. MADDOCK,  
*Secy. to Govt. of India.*



# The Calcutta Gazette.

Published by Authority.

It is requested that Government Notifications for the Calcutta Gazette, of any length, may be sent to the Press before Noon of Tuesday, and those of a few lines only before 5 P. M. of that day.

WEDNESDAY, JULY 21, 1841.

FORT WILLIAM,  
GENERAL DEPARTMENT, 20TH JUNE, 1839.

All Public Officers of Government sending Advertisements to the Calcutta Gazette for Publication, are hereby directed to make them as short as possible, and to specify always how many times the Advertisement shall be repeated.

By Order of the Hon'ble the Vice President in Council,

H. T. PRINSEP, Secy. to the Govt.

FORT WILLIAM,  
FINANCIAL DEPARTMENT,

THE 19TH NOVEMBER, 1838.

The following revised Terms and Conditions for making Advances in India and China upon Goods and Merchandise consigned to England are published for general information, also the following paragraphs 5 and 6 of the despatch of the Hon'ble Court of Directors, dated 17th August, prescribing the same for future observance:

## TERMS AND CONDITIONS

### FOR MAKING ADVANCES IN INDIA AND CHINA, UPON

The Goods and Merchandise of Individuals intended for Consignment to England, re-payable to the Court of Directors of the East India Company.

1st.—The parties to whom Advances may be made shall agree that the respective Consignments be delivered into such Warehouses as the Court of Directors may approve: and that they be subject to the control of the Court of Directors until the lien of the Company upon the Consignment shall have been satisfied.

2d.—Upon each Consignment, the value of which is to be ascertained by the Officers of the Indian Government, or Authorized Agents of the East India Company, an Advance not exceeding three-fifths of such ascertained value will be made.

The rate of Exchange to be determined from time to time at the place where the Advance is made under the Court's orders.

s. d.

Per Company's Rupee for Advances made at.....	Bengal.
Ditto.....	Madras.
Ditto.....	Bombay.
Per Spanish Dollar Ditto.....	China.

4th.—The Parties will be required to place in the hands of the Board of Customs, Salt and Opium, Bills of Lading of the Consignment and Policies of Insurance effected thereon, both in triplicate. The Bills of Lading must be drawn

deliverable to the East India Company, or endorsed to the order of the East India Company. The Policies of Insurance must be effected in the name and on behalf of the East India Company, as the Parties interested, or endorsed to their order; but persons desirous of effecting the necessary Insurance in this Country, and of depositing the Policies in the Company's Treasury, will be allowed to do so.

5th.—In case of default being made either in acceptance, or payment of the Bills, the Court of Directors to be authorized, in such manner and at such times as they may see fit to sell the Goods, for the purpose of re-paying the Company the amount of the Advances made thereon, including Freight and any other charges or expenses which the Company may have incurred on account of the Consignment, together with interest, should any have accrued; the Company, on the other hand, allowing discount, where any part of the proceeds shall be realized before the Bills fall due, and the settlement of either surplus or deficiency shall be made with the Consignor; and if in India or China by the Government or Agents from whom he received the Advance, at the rate of exchange at which the Company may at the time be drawing Bills upon such Government or Agents.

6th.—An Agent in England shall be appointed for each Consignment, to whom the Court of Directors shall be empowered to make over the Goods, subject to all the conditions agreed upon with the Company, on payment of the Bills; and with whom they shall be authorized to transact generally all business relating to such Goods. The Consignor shall be at liberty to make provision, in case of the Party upon whom the Bill is drawn, (being also the Agent) having failed to accept the Bill, for the substitution of another Agent.

7th.—After the arrival of the Goods in England and when they shall have been placed in such deposit as may have been agreed upon, the Agent may be put into possession of them before the Bills become due, upon the amount of such Bills (less discount) being paid, together with the Freight and any other charges and expenses which the Company have paid or may be subject to on account of the Goods.

8th.—The rate of Discount to be allowed by the Company shall be the same as that charged by the Bank of England; and in cases where interest shall have accrued, such interest shall be computed at the rate or rates per cent. at which the Company have allowed Discount during the period for which such interest is chargeable.

9th.—Parties or their Agents will be required to insure the Goods from fire, and deposit the Policies with the East India Company; such Insurance to take effect from the date of the termination of the Sea risk. Should however the Parties or their Agents fail to effect such Insurance, the East India Company shall be at liberty to insure the Goods, the expenses of which shall be reimbursed to them previously to their making over the Goods to those Parties or Agents.



10th.—Parties receiving Advances, to address in each instance a Letter in quadruplicate to the Court of Directors, according to a form which will be furnished by the Officers of Government (or authorized Agents of the East India Company), signifying their assent to all the foregoing conditions, but more particularly for the purpose of expressly authorizing the sale of the Goods by the Company (without either notice or concurrence of any person whatsoever) at any period after default shall be made either in acceptance or payments of the Bills; also authorizing, in such cases, the re-paying to the Company the Advances made, either principal or interest, together with any other charges or expenses which the Company may have incurred in respect of the Goods, and appointing the Agent in England for each transaction.

*Extract of a Despatch from the Hon'ble the Court of Directors in the Financial Department, dated the 17th August, No. 13 of 1838.*

5.—In future we desire that you will restrict your Advances to the great staple Articles of Indian Produce, Cotton, Silk, Sugar, Coffee, Indigo, Salt Peter and Piece Goods—and further that no Advances be made upon any Consignment the ascertained value of which shall be less than 5,000 Rupees.

6.—Several Packages of Tobacco upon which you have made Advances have been seized by the Officers of Customs, in consequence of their having been imported in illegal Packages—Extracts from the Acts 3 and 4, Will. 4, Cap. 52, Sec. 58, and 6th and 7th Will. 4, Cap. 60, Sec. 4, relating to the Article of Tobacco, are transmitted in the Packet.

Published by Order of the Hon'ble the President of the Council of India in Council,

H. T. PRINSEP,  
Secy. to the Govt. of India.

**FORT WILLIAM,  
FINANCIAL DEPARTMENT,  
THE 3d JUNE, 1841.**

Notice is hereby given, that the Board of Customs, Salt and Opium have been authorized to make Advances of Cash to Merchants on Bills of Exchange, secured by consignment of Goods at the rate of 2s. 1d. per Company's Rupee, until further Orders. In all other respects the Terms and Conditions of these Advances will be the same as advertised under dates the 2d May 1838 and 27th November 1839.

Published by order of the Right Hon'ble the Governor of Bengal,

G. A. HUSHBY,  
Secy. to the Govt. of Bengal.

**FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,  
THE 19th JULY, 1841.**

The following Draft of a proposed Act was read in Council for the first time on the 19th of July 1841.

Act No. — of 1841.

*An Act for extending in cases governed by English Law certain provisions of the Statute 3d and 4th William IV Ch. XLII, entitled "An Act for the further amendment of the Law and the better advancement of Justice."*

I. Whereas there is no remedy provided in cases governed by English Law for injuries to the Real Estate of any person deceased, committed in his life time, nor for certain wrongs done by a person deceased in his life time to another in respect of his property, real or personal; for remedy thereof it is hereby enacted, that an Action of Trespass or Trespass on the case, as the case may be, may be maintained by the Executors or Administrators of any person deceased for any injury to the Real Estate of such person, committed in his life time, for which an action might have been maintained by such person, so that such injury shall have been committed within six calendar months before the death of such deceased person, and provided such action shall be brought within one year after the death of such person; and the damages when recovered, shall be part of the personal Estate of such person; and further that an Action of Trespass or Trespass on the case, as the case may be, may be maintained against the Executors or Administrators of any person deceased for any wrong committed by him in his life time to another in respect of his property, real or personal, so as such injury shall

have been committed within six calendar months before such person's death, and so as such action shall be brought within six calendar months after such Executors or Administrators shall have taken upon themselves the Administration of the Estate and Effects of such person; and the damages to be recovered in such action shall be payable in like order of Administration as the simple contract debts of such person.

II. And it is hereby enacted, that no wager of Law shall be hereafter allowed.

III. And it is hereby enacted, that an action of debt on simple contract shall be maintainable in any of Her Majesty's Supreme Courts against any Executor or Administrator.

IV. And it is hereby enacted, that it shall be lawful for the Defendant in all personal actions (except Actions for Assault and Battery, False Imprisonment, Libel, Slander, Malicious Arrest or Prosecution, Criminal Conversations or Debauching of the Plaintiff's Daughter or Servant,) by leave of any of Her Majesty's Supreme Courts where such action is pending, or a Judge of any of the said Courts, to pay into Court a sum of money by way of Compensation or Amends, in such manner and under such regulations as to the payment of costs and the form of pleading as the said Judges or such Courts respectively shall by any rules or orders by them to be from time to time made, order and direct.

V. And it is hereby enacted, that it shall be lawful for the parties in any action or information, after issue joined, by consent and by order of any of the Judges of the said Courts, to state the facts of the case, in the form of a special case, for the opinion of the Court, and to agree that a judgment shall be entered for the Plaintiff or Defendant, by confession or of nolle prosequi, immediately after the decision of the case, or otherwise as the Court may think fit; and judgment shall be entered accordingly.

VI. And it is hereby enacted, that the name of every witness objected to as incompetent on the ground that the judgment in the Action would be admissible in evidence for or against him shall at the trial be indorsed on the Record or Document on which the trial shall be had, together with the name of the party on whose behalf he was examined by some Officer of the Court, at the request of either party, and shall be afterwards entered on the record of the judgment; and such indorsement or entry shall be sufficient evidence that such witness was examined in any subsequent proceeding in which the judgment shall be offered in evidence.

VII. And it is hereby enacted, that every such Court as aforesaid on the trial of any issue, or on any inquiry of damages, may, if they shall think fit, give damages in the nature of interest, over and above the value of the goods at the time of the conversion or seizure, in all Actions of Trover or Trespass de bonis et portatis, and over and above the money recoverable in all actions on Policies of Assurance made after the passing of this Act.

VIII. And it is hereby enacted, in cases which would be governed by English Law, that it shall be lawful for the Executors or Administrators of any Lessor or Landlord to distrain upon the Lands demised for any term, or at will, for the arrears of rent due to such Lessor or Landlord in his life time, in like manner as such Lessor or Landlord might have done in his life time.

IX. And it is hereby enacted, that such arrears may be distrained for after the end or determination of such Term or Lease at will, in the same manner as if such Term or Lease had not been ended or determined; provided that such distress be made within the space of six calendar months after the determination of such Term or Lease, and during the continuance of the possession of the Tenant from whom such arrears become due; provided also, that all and every the powers and provisions of Law relating to distress for rent shall be applicable to the distresses so made as aforesaid.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re-considered at the first meeting of the Legislative Council of India after 15th day of October next.

T. H. MADDOCK,  
Secy. to the Govt. of India.



**FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,**

THE 19TH JULY, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 19th of July 1841.

Act No. — of 1841.

*An Act for appropriating the unclaimed Dividends on Insolvent Estates.*

I. Whereas pursuant to the Orders of the Court for the Relief of Insolvent Debtors, divers sums on account of unclaimed Dividends on Insolvent Estates have from time to time been paid by the Assignees of such Insolvent Estates into the hands of the Accountant General and Sub-Treasurer of the East India Company with the privity of the Accountant General of the said Insolvent Court, to the credit of the matter of such Insolvent Estates respectively;—and whereas it is expedient that in the event of the claim being established to any demand whereby any Dividends may accrue within a reasonable time, such Dividends should be divided among such of the Creditors of such Insolvent Estates as shall have established their claims against such Estates respectively.

It is therefore enacted, that it shall be lawful for the said Court of Insolvent Debtors in the event of no claim being established whereby the right to any Dividend has accrued or may thereafter accrue within six years after any Dividend shall have been so paid over, as aforesaid, to order the same to be repaid to such Assignees, to be by them divided among such of the Creditors of such Insolvent Estates as shall have established their claims against such Estates respectively. Provided that this Act shall not affect the right of any party to any future Dividends which may be declared in such Insolvent Estates respectively in the event of any such claim being afterwards established.

II. And it is hereby enacted, that no Dividend shall at any time be divided under this Act among such of the Creditors of any Insolvent Estate as shall have established their claims against such Estate, unless a Statement of unliquidated claims be previously published in manner following: One year at least before making any such division as aforesaid a Statement shall be published three times in the English language, and also in one or more native languages in the Official Gazette of the respective Presidencies, which Statement shall contain the names of all parties in respect of whose claims Dividends are reserved, together with the amount of such claims respectively, and shall specify whether any former Dividend or Dividends have been received in respect thereof, and whether any proof shall have at any time been made of the debt whereby any Dividend may have accrued. Provided always that this Act shall not authorize the division of any Dividend except where no person shall at any time have substantiated any claim to the debt in respect of which such Dividend may have become due.

III. And be it enacted, that this Act shall not take effect until the first day of January 1843.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first Meeting of the Legislative Council of India after the 19th day of October next.

T. H. MADDOCK,

*Secy. to the Govt. of India.*

**FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,**

THE 19TH JULY, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 19th July 1841.

Act No. — of 1841.

*An Act for amending the Rules of Special Appeals.*

I. It is hereby enacted, that Clauses 1, 2 and 4, Section 2, Regulation XXVI 1814—Section 7, Regulation XIX 1817—Sections 2, 3, 4, 5 and 6, Regulation IX 1839—Clause 1, Section 23, Regulation V 1831—and Section II A41 XXV of 1837 of the Bengal Code, be repealed.

II. And it is hereby enacted, that from and after the — day of — 1841, a second or Special Appeal shall lie to the Courts of Sudder Dewanny Adawlut at Calcutta and Allahabad, respectively, from all decisions passed in regular Appeals in any Civil Court in the manner hereinafter specified.

III. And it is hereby enacted, that except in cases in which the petition relates to a decision passed in regular Appeal by a Zillah or City Judge, every application for the admission of a special or second Appeal shall be heard within the period limited for the admission of a regular Appeal, by the Judge of the Zillah or City within which the regular Appeal has been decided; and every application for the admission of a special or second Appeal against a decision passed in regular Appeal by a Zillah or City Judge, shall in like manner be heard by a single Judge of the Court of Sudder Dewanny Adawlut.

IV. And it is hereby enacted, that no special or second Appeal shall be admitted in any case, unless the Judgment Appealed against, be inconsistent with some established judicial precedent, or involve some question of law, usage, or practice, upon which there may exist reasonable doubts.

V. And it is hereby enacted, that the Judge by whom such application for the admission of a second or special Appeal may be heard, shall call before him the Special Appellant or his Vakeel or Agent, and shall, at his discretion, call for and peruse any document forming part of the record of the cause which he may deem proper, and shall by such other enquiries as he may consider necessary determine the point or points on which the Appeal is liable under this Act, to be specially tried by the Courts of Sudder Dewanny Adawlut; and shall reduce the said point or points to writing in the form of a certificate and shall transmit the same in the Vernacular language, together with an English translation thereof, attested by his official seal and signature, with the original petition for the admission of the second or special Appeal, and copies of the decrees passed in the case to the Register of the Courts of Sudder Dewanny Adawlut, to be tried by those Courts in due course; and it shall be lawful for the Judge to reject any such petition at his discretion, and his order so rejecting a petition for a special or second Appeal shall be final.

VI. And it is hereby enacted, that the Courts of Sudder Dewanny Adawlut shall in every case transmitted to or admitted by them, try and determine the point or points certified as above enacted, and no other point or part of the case whatever.

VII. And it is hereby enacted, that it shall be competent to the Courts of Sudder Dewanny Adawlut in any case in which the special ground of Appeal may appear to have been incorrectly or incompletely certified by a Zillah or City Judge, to return the certificate for amendment; or in cases in which it may appear to have been improperly transmitted to annul the certificate altogether, without requiring the attendance of the Special Appellant or his Vakeel or Agent.

VIII. And it is hereby enacted, that nothing contained in this Act shall be construed to interfere with the authority vested in a single Judge of the Court of Sudder Dewanny Adawlut, or in a Zillah or City Judge under the provisions of Regulation IX, 1831 and Act VII of 1838 of issuing any injunction to the Lower Courts, for the revision of any case on the grounds, and in the manner laid down by that Regulation and Act.

IX. And it is hereby enacted, that nothing contained in this Act shall affect the trial of second or special Appeals which shall have been admitted and be pending in Appeal at the time of the passing of this Act, and that all such second or special Appeals shall be tried and decided in the same manner as if this Act had not passed.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the 19th day of September next.

T. H. MADDOCK,

*Secy. to the Govt. of India.*

**FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,**

THE 19TH JULY, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 19th of July, 1841.

Act No. — of 1841.

*An Act for amending the Law concerning imprisonment for contempt of decrees or orders made by Courts of Equity.*

I. It is hereby enacted, that when any person shall have been directed by any Decree or Order in Equity

of Her Majesty's Supreme Courts to execute any deed or instrument, or make a surrender or transfer, or to levy a fine, and shall have refused or neglected to execute, make or transfer or levy the same, and shall have been committed to prison under process for such contempt or being confined in prison for any other cause shall have been charged with or detained under process for such contempt and shall remain in such prison, the Court may upon motion or petition and upon affidavit that such person has after the expiration of two calendar months from the time of his being committed under or charged with or detained under such process again refused to execute such deed or instrument, or make such surrender or transfer or levy such fine, order or appoint, the Master or Registrar of the said Courts to execute such deed or other instrument, or to make such surrender or transfer for and in the name of such person, and to levy such fine in his name and to do all acts necessary to give validity and operation to such fine, and to lead or declare the same thereof, and the execution of the said deed or other instrument, and the surrender or transfer made by the said Master or Registrar, and the fine levied by him, shall in all respects have the same force and validity as if the same had been executed, or made or levied by the party himself, and within ten days after the execution or making of any such deed or other instrument, or surrender or transfer, or levying such fine, notice thereof shall be given by the adverse Solicitor to the party in whose name the same is executed or made, and such party as soon as the deed or other instrument or surrender, transfer or fine, shall be executed, made or levied, shall be considered as having cleared his contempt, except as far as regards the payment of the costs of the contempt, and shall be entitled to be discharged therefrom under any of the provisions of this Act applicable to his case, and the Court shall make such order as shall be just touching the payment of the costs of or attending any such deed, surrender, instrument, transfer or fine.

II. And it is hereby enacted, that where a person shall be committed for a contempt in not delivering to any person or persons, or depositing in Court or elsewhere, as by any order in Equity of Her Majesty's Supreme Courts may be directed, books, papers or any other articles or things, the Sheriff under any writ or sequestration shall have the same power, to seize and take such books, papers, writings or other articles, or things being in the custody or power of the person against whom the sequestration issues, as they would have over his own property, and thereupon such articles or things so seized and taken shall be dealt with by the Court as shall be just, and after such seizure it shall be lawful for the Court upon the application of the prisoner, or any other person in the cause or matter to make such order for the discharge of the prisoner upon such terms as to the Court shall seem proper.

III. And it is hereby enacted, that the discharge of any prisoner adjudicated upon under the authority of an Act passed in the 9th G. 4 C. 78, intituled "an Act to provide for the Relief of Insolvent Debtors in the East Indies until the 1st day of March 1893," last continued by an Act passed in the 5 and 4 Vic. C. 80, shall and may extend to all process in Equity issuing from Her Majesty's Supreme Courts for any contempt of such Court for non-payment of money, or of costs, charges or expenses in any such Court, and that in such case the said discharge shall be deemed to extend to all costs which such prisoner shall be liable to pay in consequence or by reason of such contempt, or on purging the same and every discharge so adjudicated as aforesaid as to any debt or damages of any creditor of such prisoner shall be deemed to extend, also to all costs incurred by such creditor before the filing of such prisoner's schedule, in any action or suit brought by such creditor against such prisoners for the purpose of the recovery of the same, and that all persons as to whose demands for any such costs, money, or expenses, any such person shall be so adjudged to be discharged, shall be deemed and taken to be creditors of such prisoner in respect thereof, and entitled to the benefits of all the provisions made for creditors by the said last mentioned Acts, subject, nevertheless, to such ascertainment of the amount of the said demands as may be had by taxation, or otherwise, and in such examination thereof as is in the said last mentioned Acts, provided in respect of all claim to a dividend of such Insolvent's Estate and Effects.

IV. And be it further enacted, that in all cases of contempt, where any person at persons are, or is, or

shall, at any time hereafter be in prison under or by reason of any commitment or attachment in Equity directed by or issued out of Her Majesty's Supreme Courts, such Court shall (upon the application of the person or persons against whom such commitment or attachment hath been directed or issued,) have the power if it shall so think fit, to discharge such person or persons from their, his, or her contempt, except as to the costs thereof, for which costs they, he, or she shall remain in custody, and such costs shall be deemed within the provisions of the last preceding Section of this Act—and they, he, or she shall be discharged therefrom, and from the process of contempt in like manner as in the last preceding Section of this Act provided for in cases of process of contempt for non-payment of money or costs. Provided that this Act shall not weaken any of the other powers by this Act given, and that nothing herein contained shall alter or affect the operation of the said Acts for the relief of Insolvent Debtors.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 12th day of October next.

T. H. MADDOCK,

*Secy. to the Govt. of India.*

FORT WILLIAM,

GENERAL DEPARTMENT,

THE 15TH JULY, 1841.

Notice is hereby given, that the Salaries and Allowances of the Civil and Marine Departments for July, Instant, will be discharged by the Sub-Treasurer and Marine Paymaster respectively, on or after Saturday, the 14th Proximo.

Published by Order of the Right Hon'ble the Governor General in Council,

G. A. BUSHBY,

*Secy. to the Govt. of India.*

FORT WILLIAM,

MILITARY DEPARTMENT, 16th July, 1841.

Notice is hereby given, that the Pay, Batta, and other Allowances for July 1841, of the Troops at the Presidency and at the other Stations of the Army, will be issued on or after Saturday, the 7th Proximo.

By Order of the Right Hon'ble the Governor General of India in Council,

J. STUART, Lt.-Col.,

*Secy. to the Govt. of India, Mil. Dept.*

**NOTICE.**—The Public are hereby informed, under orders of Government, dated 29th January, 1840, that excavations, surrounded with fences, and having lights at night, are in progress in the undermentioned Thoroughfares in the Town of Calcutta.

*Lower South Division.*

Surface Drain, on the Southside of Middleton Street, is to be constructed

*Upper North Division.*

Chitpore Road, West side, from opposite Dwarkeynoth Tagore's Lane to Churnuckdangah Street, Aqueduct to be built.

R. J. ROSE, *Offg. Supt. Conservancy.*

#### STEAM NOTICE.

**THE** 1st of September next ensuing, having been fixed upon for the despatch of the next Steamer from Bombay, with an Overland Mail—Notice is hereby given, that the latest safe date, for the transmission of letters from Calcutta, which may be intended for conveyance by that opportunity, will be the 17th proximo.

H. S. OLDFIELD, *Offg. Post Master Genl.*

*Fort William, Genl. Post Office, }  
The 17th July, 1841. }*

**NOTICE.**—Letters for Rangoon and Moumein, received at this Office up to the 3d instant, inclusive, and which were marked for transmission by the Vessels specified in the margin, as well as all that were received up to the 7th instant, inclusive, for the Steamer Ganges, were transferred to H. M. S. Childers.

The Letters for Europe marked for the "Helen Thompson," were transferred to the "Tapley," on the return of the former leaky.

The Letters for China, marked for the "Nerbudda," were transferred to the Steamer Hooghly, the "Nerbudda" being detained at Diamond Harbour to repair damages.

The Letters for Rangoon and Moumein, from the 5th to the 15th instant, inclusive, which were marked for the Vessels mentioned in the margin, were transmitted by the Steamer Ganges.

The undermentioned Transfers were effected, in consequence of the Packets reaching Roderree too late to overtake the Vessels for which they had been originally intended:

Date of the Receipt of the Letters at the General Post Office.	For what Ship Originally intended.	Destination.	To what Vessel transferred.
28th & 27th May, 1841, .....	London, ...	Cape of Good Hope, .....	Pekin, .....
21st & 22d June, .....	Reliance, ...	Mauritius, ...	Franklin, ...
23d ditto, .....	Buccanier, .....	Moumein, ...	H. M. S. Childers.
1st July, .....	Brightman, .....	London, .....	Tapley.
1st ditto, .....	Steamer Hooghly, .....	Penang, .....	Pattelberry.
1st ditto, .....	Steamer Diana, .....	Ditto, .....	Water Lilly.
1st ditto, .....	Steamer Hooghly, .....	Singapore and China, .....	Hera.
1st & 2d ditto, ...	Steamer Diana, ...	Ditto ditto, ...	Ditto.
2d ditto, .....	Snipe, .....	Moumein, ...	H. M. S. Childers.
9th ditto, .....	Hera, .....	Singapore and China, .....	Ditto.
10th ditto, .....	Dido, .....	Singapore, ...	Puppy.

WM. MOORE, Deputy Post Master.

Fort William, General Post Office, }  
The 20th July, 1841.

It is hereby notified that, unless marked for particular Ships, all Letters received at the General Post Office between Monday the 12th July and Sunday the 18th July, both dates inclusive, were despatched by the undermentioned Vessels, which sailed from Calcutta on dates specified:

Letters received on dates from and to.	By what Ships despatched.	Bound to.	Remarks.
12th July, .....	Juliet, .....	London, .....	Left Town on the 13th inst.
13th to 17th ditto, ..	Mary Bannatyne, ...	Ditto, .....	Ditto 17th ditto.
18th ditto, .....	City of Poonah, ...	Ditto, .....	Will sail on the 21st ditto.
12th to 15th ditto, ..	Steamer Ganges, .....	Rangoon and Moumein, ..	Left Town on the 16th ditto.
16th to 18th ditto, ..	Elizabeth, .....	Ditto, .....	Will sail in a day or two.
12th to 18th ditto, ..	Rob Roy, .....	Singapore and China, .....	Left Town on the 20th inst.
12th to 18th ditto, ..	Janet Boyd, .....	Mauritius, .....	Ditto 17th ditto.

WM. MOORE, Deputy Post Master.  
Calcutta, General Post Office, the 20th July, 1841.

**ADVERTISMENT.**—Notice is hereby given, that from and after the 1st instant, Rum brought into Calcutta from Distilleries in the Suburbs will be subject to payment of Excise Tax at the ordinary consolidated rate of Eight Annas (Company's) per Gallon, instead of the Still-head Duty of Six Annas (Sicca) hitherto levied.

Parties desirous of bringing Rum into Calcutta under Bond, can be furnished with Instructions for doing by application at this Office.

By Order of the Board of Customs, Salt and Opium, the 10th July, 1841,

H. TORRENS, Secy.

**NOTICE** is hereby given, that the undermentioned quantity of Coast Salt is for Sale at the rate specified below. Purchasers to satisfy themselves as to the quality of the Salt in question by personal inspection of the Masters, at the Government Golah at Salka, and the Showannah first presented thereto be entitled to the first delivery.

DESCRIPTION OF SALT.

Agency.	Golah.	Year of Manufacture.	Quantity.	Price.
Madras Permit, .....	Salka, .....	1841-42	10,000	410 Rs. per 100 Mds.

Board of Customs, Salt and Opium, the 20th July, 1841.

H. TORRENS, Secretary.



*Court for the Relief of Insolvent Debtors at Calcutta.*  
NOTICE is hereby given, that

GEORGE GLASSUP JAMIESON, of Sootherkin's Lane, in Calcutta, a Section Writer,

Now a Prisoner in the Gaol of Calcutta, hath filed his Petition, praying for Relief under the Provisions of the Statute 8th Geo. IV. Cap. 78, entitled "an Act to provide for the Relief of Insolvent Debtors in the East Indies, &c."—and the said George Glassup Jamieson hath, in Trust for the benefit of his Creditors, executed an Assignment to the Common Assignee of the said Court, of all the real and personal Estate and Effects which he now hath, or is entitled to, or which may come to, or be acquired by him before the Court shall have made its final order in the matter of the said Petition.

P. O'Hanlon, Examiner.

Office of Examiner, 20th July, 1841.

Mr. Hudson, Atty.

কলিকাতার জোজিহিন করজদারদের পরি  
জ্ঞাপন আদালত—

সমস্তার দেওয়া আইতেছে যে—

জাজ গেসালপ জেমিসান কলিকাতার সুইজি  
নয় গলি নিবাসি এক সেকসান কেরানি—

সমস্তি তিনি কলিকাতার জেলে কর্তব্য আছে  
এবং তাহার আরজি দাখিল করিয়াছেন এই প্রা  
ধনীয় যে চতুর্দশ জাজ বাবসাহের বাবসাইয়ের ১ ন  
বম বৎসরের একশিত আইনের ৭৩ ধারা তাহার  
বাম হিন্দুস্থানের অকম করজদারদের পরিজ্ঞাপন  
আইন তাহার নিবিত্ত আজ তাহার সমস্তে আমলে  
আইনে এবং এই উক্ত জাজ গেসালপ জেমিসান  
উক্ত আদালতের সাধারণ মোক্তারকারের নিকট তাহা  
র মহাজনগণের উপকারার্থে তাবত হাবর ও অহাবর  
বিষয় জাহা একপে তাহার আছে কিয়া জাহা উক্ত  
আরজির বিষয়ে উক্ত আদালত হইতে শেষ হকুম  
হইবার পূর্বে তাহার হস্তে আইনে কিয়া উপায়ে  
করেন এই সকলের এক মোক্তারনামা দিবিয়া দিয়া  
ছেন—

P. O'Hanlon, Examiner.

একজামির সাহেবের আকিফ—

সন ১৮৪১ সাল ২০ জুলাই—

মেঃ হতমান উকিল—

*Court for the Relief of Insolvent Debtors at Calcutta.*  
NOTICE is hereby given, that

KERMAN GURRAY, of Gurrashuttah, in Calcutta, Bar-  
rister at Law,

Now a Prisoner in the Gaol of Calcutta, hath filed his Peti-  
tion, praying for Relief under the Provisions of the Statute  
8th Geo. IV. Cap. 78, entitled "an Act to provide for the  
Relief of Insolvent Debtors in the East Indies, &c."—and the  
said Kerman Gurray hath, in trust for the benefit of his  
Creditors, executed an Assignment to the Common Assignee  
of the said Court, of all the real and personal Estate and  
Effects which he now hath, or is entitled to, or which may  
come to, or be acquired by him before the Court shall have  
made its final order in the matter of the said Petition.

P. O'Hanlon, Examiner.

Office of Examiner, 20th July, 1841.

Messrs. Hodger & Smalley, Atties.

কলিকাতার জোজিহিন করজদারদের পরি  
জ্ঞাপন আদালত—

সমস্তার দেওয়া আইতেছে যে—

হরম্যান জাকরাই কলিকাতার গরামিহাটা নি  
বাসি কেরানি—

সমস্তি তিনি কলিকাতার জেলে কর্তব্য আছে  
এবং তাহার আরজি দাখিল করিয়াছেন এই প্রা  
ধনীয় যে চতুর্দশ জাজ বাবসাহের বাবসাইয়ের ১ ন  
বম বৎসরের একশিত আইনের ৭৩ ধারা তাহার  
বাম হিন্দুস্থানের অকম করজদারদের পরি  
জ্ঞাপন আইন তাহার নিবিত্ত আজ তাহার সমস্তে আমলে  
আইনে এবং এই উক্ত হরম্যান জাকরাই  
উক্ত আদালতের সাধারণ মোক্তারকারের নিকট  
তাহার মহাজনগণের উপকারার্থে তাবত হাবর  
ও অহাবর বিষয় জাহা একপে তাহার আছে  
কিয়া জাহা উক্ত আরজির বিষয়ে উক্ত আদালত  
হইতে শেষ হকুম হইবার পূর্বে তাহার হস্তে আ  
ইনে কিয়া উপায়ে করেন এই সকলের এক মোক্ত  
র নামা দিবিয়া দিয়াছেন—

P. O'Hanlon, Examiner.

একজামির সাহেবের মস্তুরদানা—

সন ১৮৪১ সাল ২০ জুলাই—

মেঃ অস হেজর এবং ইনমালি উকিল—

*Court for the Relief of Insolvent Debtors at Calcutta.*  
NOTICE is hereby given, that the matters of the Peti-  
tion and Schedule (the same having been filed in the  
Court) of

BULLOHAM CHUTTOPADHYA,

of Burras Bazar, in Calcutta, Broker, and now a prisoner for  
debt in the Gaol of Calcutta, will be heard on Saturday, the  
4th day of September next, at the hour of 11 o'Clock in the  
forenoon.

"No Creditor will be allowed in the Hearing to  
oppose the discharge of a prisoner, unless he shall have  
given notice to the Chief Clerk three clear days before  
the day of Hearing."

Office of Examiner, 19th July, 1841.

Mr. Marshall, Atty.

কলিকাতার জোজিহিন করজদারদের পরি  
জ্ঞাপন আদালত—

এতদ্বারা ববর দেওয়া আইতেছে যে এই জা  
দারদের দাখিলকরা আরজি ও কলের বিজ্ঞা বি  
চের বাসিত—

বলরাম চট্টোপাধ্যায়—

কলিকাতার বড়বাটার নিবাসি দালাল এবং  
একদে দেবার বিষয়ে কলিকাতার জেলের এক  
করেরী আগড়ে বেণ্টের তাহার ৪ অমিরার  
বেণী ১১ যুটার সময় তাহার বিজ্ঞা সুস্বাি হই  
বেক—

কোন হইবার আগড়া করিতে পারি  
হেব নাই দালালিতে কোন করেরি জমা পি সুস্বা  
বির বিজ্ঞা বিজ্ঞানের পূর্বে চলে মোক্তার সাহেবের  
আকিফ হওয়া না দেন—

একজামির সাহেবের আকিফ—

সন ১৮৪১ সাল ১৯ জুলাই—

মেঃ দারিদাল উকিল—

**Court for the Relief of Insolvent Debtors at Calcutta.**

In the matter of Frederick Regent Ellis, a Lieutenant in the Fourth Regiment of Bengal Infantry, and Insolvent. On Saturday, the 3d day of July, instant, upon an application on behalf of Mr. John Wallis Alexander, the Assignee in this matter, It was ordered that the said Assignee do out of the sum of Co.'s Rs. 257-12-5 being a final dividend to the full amount of the claims on the said Estate admitted on the Schedule of the said Insolvent, so soon as such claims shall be duly substantiated to the satisfaction of the said Assignee.

Notice whereof is hereby given.

Office of Examiner, 19th July, 1841.

Messrs. Collier, Bird, and Grant, Attles.

**কলিকাতার জোজিহন করতলারিদের পরি  
জাগরণ আদালত**

নামের নিমিত্তিক রি বসন্তমান জুলাই মাস  
২০৭৮ ইলিন সাহেবের বি হার ও পরিবার তা  
যয় জিনি বাবান ইনকা। রিধে এই বিষয়ের  
কীর ৪ পলটনের এক পল মজিয়ারকার মে.  
টেন — জান ওয়ালিস আলি  
করতলার সাহেবের পক্ষে এজাহারের এহা হকুম  
হইল যে এই উক্ত মজিয়ারকারের হকুম কো.  
সিককা ৩৬৬৮/১০ পাই হইতে কো.  
২০৭৮ পাই যে উক্ত নামের কারখানার উপর  
বাণ্যুরা দারানদিগের বাজি পাওনা একেবারে সম  
পূর্ণরূপে পরিশোধ করিবেন কেবলকল দেয়া এই উক্ত  
নামের কারখানার নিমিত্ত ও সিককা আছে এবং  
জাহারা এই উক্ত মজিয়ারকারের তুফীজনক করি  
বেন —

উহার ধরন এতদ্বারা দেওয়া জাহারতহে —  
একজামিনর সাহেবের হকুমদার।  
সন ১৮৪১ সাল ১৯ জুলাই —  
মিনিষ্ট্রের সাহেবের হত এবং গুলি উকিল

**Court for the Relief of Insolvent Debtors at Calcutta.**

In the matter of George Robert Wilton, a Captain in the Fourth Regiment of Bengal Infantry, and Insolvent. On Saturday the 3d day of July, instant, upon an application of the Assignee in this matter, It was ordered that the said Assignee do from and out of the sum of Co.'s Rs. 4,492-15-8 in his hands pay a dividend at the rate of Co.'s Rs. 10 for 100 Rs. (which will amount to the sum of Co.'s Rs. 3,800-15-0) upon the several claims admitted on the Schedule of the said Insolvent so soon as such claims shall be duly substantiated to the satisfaction of the said Assignee.

Notice whereof is hereby given.

Office of Examiner, 19th July, 1841.

Mr. Alexander, Assignee.

**কলিকাতার জোজিহন করতলারিদের পরি  
জাগরণ আদালত**

নামের নিমিত্তিক রি বসন্তমান জুলাই  
২০৭৮ ইলিন সাহেবের বিহার ও পরিবার  
বাবান ইনকা। কীর ৪ পলটনের এক পল  
মজিয়ারকার মে. টেন — জান ওয়ালিস আলি  
করতলার সাহেবের পক্ষে এজাহারের এহা হকুম  
হইল যে এই উক্ত মজিয়ারকারের হকুম কো.  
সিককা ৩৬৬৮/১০ পাই হইতে কো.  
২০৭৮ পাই যে উক্ত নামের কারখানার উপর  
বাণ্যুরা দারানদিগের বাজি পাওনা একেবারে সম  
পূর্ণরূপে পরিশোধ করিবেন কেবলকল দেয়া এই উক্ত  
নামের কারখানার নিমিত্ত ও সিককা আছে এবং  
জাহারা এই উক্ত মজিয়ারকারের তুফীজনক করি  
বেন —

রা নিমিত্ত কো.  
সিককা ৩৬৬৮/১০ পাই হইতে কো.  
২০৭৮ পাই যে উক্ত নামের কারখানার উপর  
বাণ্যুরা দারানদিগের বাজি পাওনা একেবারে সম  
পূর্ণরূপে পরিশোধ করিবেন কেবলকল দেয়া এই উক্ত  
নামের কারখানার নিমিত্ত ও সিককা আছে এবং  
জাহারা এই উক্ত মজিয়ারকারের তুফীজনক করি  
বেন —

উহার ধরন এতদ্বারা দেওয়া জাহারতহে —  
একজামিনর সাহেবের হকুমদার।  
সন ১৮৪১ সাল ১৯ জুলাই —  
মে. আলিকরতলার মজিয়ারকার

**Court for the Relief of Insolvent Debtors at Calcutta.**

In the matter of Henry Alexander Elliot, of Hooz-symah's Lane, in Calcutta, Head Clerk in the Office of the Inspector of Hospitals of Her Majesty's Forces in India, an Insolvent. On Saturday the 3d day of July, instant, upon an application of the Assignee in this matter, It was ordered that the said Assignee do out of the sum of Co.'s Rs. 1,633-4-1 in his hands pay a dividend at the rate of Co.'s Rs. 8-8 per cent (which will amount to the sum of Co.'s Rs. 1,497-11-9) upon the several claims admitted on the Schedule of the said Insolvent so soon as such claims shall be duly substantiated to the satisfaction of the said Assignee.

Notice whereof is hereby given.

Office of Examiner, 19th July, 1841.

Mr. Alexander, Assignee.

**কলিকাতার জোজিহন করতলারিদের পরি  
জাগরণ আদালত**

নামের নিমিত্তিক রি বসন্তমান জুলাই  
২০৭৮ ইলিন সাহেবের বিহার ও পরিবার  
বাবান ইনকা। কীর ৪ পলটনের এক পল  
মজিয়ারকার মে. টেন — জান ওয়ালিস আলি  
করতলার সাহেবের পক্ষে এজাহারের এহা হকুম  
হইল যে এই উক্ত মজিয়ারকারের হকুম কো.  
সিককা ৩৬৬৮/১০ পাই হইতে কো.  
২০৭৮ পাই যে উক্ত নামের কারখানার উপর  
বাণ্যুরা দারানদিগের বাজি পাওনা একেবারে সম  
পূর্ণরূপে পরিশোধ করিবেন কেবলকল দেয়া এই উক্ত  
নামের কারখানার নিমিত্ত ও সিককা আছে এবং  
জাহারা এই উক্ত মজিয়ারকারের তুফীজনক করি  
বেন —

উহার ধরন এতদ্বারা দেওয়া জাহারতহে —  
একজামিনর সাহেবের হকুমদার।  
সন ১৮৪১ সাল ১৯ জুলাই —  
মে. আলিকরতলার মজিয়ারকার

**Court for the Relief of Insolvent Debtors at Calcutta.**

In the matter of Charles Motley, a Surgeon in the Third Regiment of Bengal Infantry, an Insolvent. On Saturday the 3d day of July, instant, upon an application of the Assignee of the said Insolvent, It was ordered that the said Assignee do out of the sum of Co.'s Rs. 2,443-1-5 in his hands pay a dividend at the rate of Co.'s Rs. 4 per cent (which will amount to the sum of Co.'s Rs. 6,719-7-8) upon the several claims admitted on the Schedule of the said Insolvent so soon as such claims shall be duly substantiated to the satisfaction of the said Assignee.

Notice whereof is hereby given.

Office of Examiner, 19th July, 1841.

Mr. Alexander, Assignee.

**কলিকাতার জোজিহিন করমদারানেরদ্বিগের পরি  
জাগীৰ আদালত**

নাতরান চ্যারলস ঘাটলি বহুমান জুলাই  
তিনি বাহাল ইনক্যাপ্টার মাহার ও শনিবার  
ও পলটনের এক নারকন কারিগে উক্ত নাত  
রানের মাল ও জায়দারের মুক্তিয়ারকারের এজাই।  
রে এহা হকুম হইল যে এ উক্ত মুক্তিয়ারকারের  
হস্তে কোং নিককা ৭৪৪৩/৬ পাই আছে তাহা  
হইতে শতকরা কোং নিককা ৬ টাকার হিসাবে  
বিভাগ করিয়া দিতে কোং নিককা ৬৭১৫৮/৮ পাই  
লাগিবেক রেসকল দেবা এ উক্ত নাতরানের ফদের  
লিখিত ও নিকত আছে এরং জাহারা এ উক্ত  
মুক্তিয়ারকারের তুটীজনক করিবেন

উহার ধর একদারার দেওয়া জাইতেছে

একজামিনর সাহেবের আকিব

সন ১৮৪১ সাল ১১ জুলাই

মেং আলিকমেগুর মুক্তিয়ারকার

**Court for the Relief of Insolvent Debtors at Calcutta.**

In the matter of William Fairlie Clark and others, heretofore trading in Co-partnership at Calcutta, as Merchants and Agents, under the style and Firm of Ferguson and Company, Insolvents. On Saturday the 3d day of July, instant, upon an application on behalf of Mr. John Wallis Alexander, the Assignee in the matter, It was ordered that the said Assignee do out of the sum of Co.'s Rs. 4,39,000 in his hands, pay a dividend at the rate of Co.'s Rs. 1-8 per 100 Sa. Rs. (which will amount to the sum of Co.'s Rs. 4,39,000) upon the several claims admitted on the Schedules of the said Insolvents when so soon as such claims shall be duly substantiated to the satisfaction of the said Assignee.

Notice whereof is hereby given.

Office of Examiner, 19th July, 1841.

Messrs. Waddington and Sandes, Atties.

**কলিকাতার জোজিহিন করমদারানেরদ্বিগের পরি  
জাগীৰ আদালত**

নাতরান উইলিয়াম ফার্লি বহুমান জুলাই  
পি কেসাক সাহেব ও গায়র মাহার ও শনিবার  
হর বিবর জাহারা এহার কারিগে উক্ত নাত  
পু করবার করিডেন কলি রানগনের মাল ও  
কাতার বধরায় নাম এরং জায়দারের মুক্তি  
উপারিতে করগিসান এরং সরকার মেংজান  
কোয়ানির ওয়ালির আলিক  
মেগুর সাহেবের পকের এজাহারে এহা হকুম  
হইল যে এ উক্ত মুক্তিয়ারকারের হস্তে কোং নিককা  
৪৩৯০০০ হইতে শতকরা নিককা ১০০ টাকার  
উপর কোং নিককা ১১০ টাকা করিয়া উক্ত নাত  
রানের ফদের লিখিত ও নিকত পাওনাদারানকে  
বিভাগ করিয়া দিতে কোং নিককা ৪২০০০০ টাকা  
লাগিবেক রেসকল দাবি তাহার তুটীজনক হইবে

উহার ধর একদারার দেওয়া জাইতেছে

একজামিনর সাহেবের আকিব

সন ১৮৪১ সাল ১১ জুলাই

মিসিফের ওয়াতিটান একং সাহেব উকিসগন

**SHERIFF'S OFFICE, 2d JULY, 1841.**

NOTICE is hereby given, that a Sessions of Oyer and Terminer and Gaol Delivery, and also an Admiralty Sessions, will be holden by the Supreme Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House, in the said Town of Calcutta, on Monday, the Second day of August next, at 12 of the Clock at Noon.

W. C. BRADDON, Sheriff.

The Court will open on the first day of the Sessions, at 12 o'Clock at noon, and upon each succeeding day, precisely at 11 o'Clock in the forenoon, of which all persons are required to take notice.

W. C. BRADDON, Sheriff.

**শরিফ আফিস ২ জুলাই ১৮৪১ সাল**

সম্রাচার দেওয়া জাইতেছে যে আগামী ২ আ  
গষ্ট ১৮৪১ সাল সোমবার দুই এহরের সময় সধর  
কলিকাতার কোর্ট উইলিয়ামের এরং তাহার অধ  
পাতি যে সকল স্থান তদ্বিধিতে বদলে কোর্ট উই  
লিয়ামের সন্মত কোর্ট আপন আদালত ঘরে ওয়ের  
টরমিনর এরং এডমিরেলটী অধীনে মহা সন্মত  
সম্রাচার মোকদমার নিমিত্ত জন্মে এক সেসিয়ান  
অধীনে মিছো করিবেন

W. C. BRADDON, Sheriff.

এই সেসিয়ান অক্টোবর পর্যন্ত বসিবেক তা  
হার প্রথম দিন দুই এহরের সময় তাহার পর  
প্রতিদিন ১১ ঘটীর সময় বসিবেক এবিধ  
সকলে বরণ রাধুন

W. C. BRADDON, Sheriff.

**BANK OF BENGAL,**

15TH JULY, 1841.

NOTICE is hereby given, that agreeably to the XXXVI. Section of the Charter, Act No. VI. of 1839, the Annual General Meeting of Proprietors of the Bank of Bengal, will be held at the Bank on Tuesday, the 3d Proximo, (Monday, the 2d Proximo, being a holiday) at 11 A. M.

Published by Order of the Directors,

T. BRACKEN, Secy. to the Bank.

**UNION BANK.**

NOTICE.

A HALF-YEARLY Dividend at the rate of Nine (9) per Cent. per Annum, or Company's Rupees Forty-five (Co.'s Rupees 45) per Share, is now payable at the Bank.

By Order of the Directors,

G. J. GORDON,

Secy. Union Bank.

Union Bank,  
The 17th July, 1841.



**NOTICE.**

**UNCOVENANTED SERVICE PENSION FAMILY FUND.**

**T**HE Fourth Annual General Meeting of Subscribers to the above Institution will be held in the Town Hall, on Tuesday, the 10th of August next, at 11 o'clock A. M., to receive the Report of the Directors for the past year, and to consider such matters as may then be submitted.

By order of the Directors,

H. ANDREWS, *Secretary.*

*Unconv Service Pension Family Fund*  
Office, 28th June, 1841.

**NOTICE.**

**MIRZAPORE STONE MEHAL.**

**T**HE following agreement, signed by Mr. T. Manzius, Theekadar of the duties of the Mirzapore Stone Mehal, is published for general information.

By order of the Sudder Board of Revenue N. W. P.

(Signed) H. M. ELLIOT,

*Secretary.*

*Allahabad, 1st July, 1841.*

Having taken a lease of the duty levied on Stones at the Quarries of Chunar and Mirzapore, I hereby consent to abide by the conditions hereinafter set forth.

1st. That which is leased to me is the right to collect the duty on Stones before they are removed from the Quarries according to the provisions of Regulation II. of 1800.

2nd. I will not interrupt any person in the exercise of the right reserved to the public, of freely quarrying Stones, as set forth by the Regulation.

3rd. I will keep constantly suspended in my Office and in that of any Agent whom I may employ, and in a conspicuous place in each Quarry, a table of the rate of duty leviable on Stones, according to Clauses 2 and 3, Section 3, of Regulation II. of 1800, written in a legible hand in the Persian and Hindoo characters. I will also keep suspended in all the above places any Table which may be furnished me by the Collector, of the amount of duty on Stones according to their sizes.

4th. On receipt of an order to that effect from the Collector, I will immediately remove any Chokee to which that Officer shall object. I am at liberty to place such and so many Chokees as I may think fit wherever the Collector may not object.

5th. I will not obstruct the free passage of Stones beyond or without the circle of Chokees, and will not make any demand on Stones in transit beyond those limits.

6th. An application made to me in writing by a person to remove Stones from the Quarry, I will, within 24 hours, adjust the demand of duty, and on tender of the amount, furnish a Rowanah to the applicant.

7th. If any dispute should arise about the amount of duty leviable on any despatch, I will abide by the order of the Collector.

8th. If I should detain any despatch on suspicion of smuggling, I will, within 24 hours, report the same to the Collector and be guided by his orders, as to the detention or release of that despatch.

9th. If I should break any of these conditions, the Collector is at liberty to annul my lease and make such provision for the collection of the Government duties on Stones as he may judge proper.

In witness whereof I have hereunto set my hand this Ninth day of June, 1841,

In the presence of

(Sd.) J. WALKER,

*Dy. Collr.*

" J. HOLLIER,

*Head Clerk.*

(Signed) THOS. MANZIUS.

Signed and executed by Mr. T. Manzius this day,

9th June, 1841, Mirzapore Collectorate.

(Signed) W. E. MORSE, *Acting Collector.*

(True Copy.)

(Signed) H. M. ELLIOT, *Secretary.*

**NOTICE.**

**A** REWARD of 200 Rupees will be given to any person procuring the apprehension of Isar-chunder Banerjee, an inhabitant of Jorassanko, in Calcutta, and late a Darogah of Ghaut Monohurgunge, in the Salt Agency of 24-Pergunnahs.

**MEMORANDUM.**

The Ball dropped this day Half a Second (½s.) after mean noon.

(Signed) V. L. REES.

*In charge of the Observatory.*

SURVEYOR GENERAL'S OFFICE,

*Calcutta, 17th July, 1841.*

**BENGAL CIVIL FUND.**

**NOTICE.**—A Half Yearly General Meeting of the Subscribers to the Bengal Civil Fund, will be held at the Town Hall, on Saturday, the 21st of July next, at 11 A. M., for the purpose of passing the Accounts of the past year, and for the consideration of any other matters that may be submitted.

By order of the Managers,

H. V. BAYLEY, *Hon. Secy.*

*C. F. O., the 1st June, 1841.*

**NOTICE** of Public Sale for Arrears of Revenue, unless intermediately liquidated, at this Collectorate of Dinagore, on Thursday, the 12th August next, or 29th Sawan 1248 B. S.

Name of Mehal to be sold, and of Purgannah in which it is situated, and No. of Lot in the Collector's Sale Statement.	Recorded Proprietor.	Amount Sudder Jummah.	Arrears of Revenue, for Kist May, with Interest up to 30th June 1841.
Mech. Baghoonipore, Ac. Purg. Baheragur, No. of Lot 171-200, .....	Oppadial Tagore, .....	8456 2 2	177 12 2
" Hatiharpore, Ac. do. Sun-tane, No. of Lot 138-200, .....	Nallamohun ditto, .....	8573 12 2	215 2 2
" Basiparah, Ac. Ph. ditto. No. of Lot 159-201, .....	Ditto ditto, .....	8582 0 6	215 2 2
" Beshidpore, Ac. Ph. Gola-habare, No. of Lot 191-200, .....	Ditto ditto, .....	8646 1 6	68 11 0

*Dinagore, Collector's Office, the 14th July, 1841.*

F. B. KEMP, *Offg. Collector.*

**NOTICE of Public Sale for Arrears of Revenue, unless intermediately liquidated, at the Collector's Office, Zillah Moorshedabad, on Saturday, the 24th July, or 10th Sraban, 1248 B. S.**

Names of Mahals to be sold, and of the Pargunnah in which they are situated, and No. of Lot in the Collector's Sale Advertisement.	Recorded Proprietors.	Annual Sudder Jumma.	Arrears of Revenue, including Interest up to the 1st of April 1841.	Remarks.
1. Perg. Coonwarperah, &c.,	Rajah Kishenchunder Sing and Ranees Unnopoorn, .....	182547 11 6	84501 14 5	These Lands produce Indigo, Paddy, Mulberry and Sugar Cane.
2. Hoodah Eecoree, &c.,...	Rajah K. Kishenchunder Sing, Koor Ram Chund Sing & Ranees Juran Koonwar, .....	105428 8 8	7752 14 2	
3. Kint. Perg. Cashapore, .....	Doorgapurahand, Kashoonath, Bholanath, Kishnonath, Shishuondree, Bhobonesanree, Bejoy Kiano, Raje Kishore and Radha Benode Das, .....	8076 12 6	1170 5 0	Ditto.

The abovementioned Estates are still under Butwarra.

1. Pargunnah Rokunpore,...	Seetanath Sandial, .....	69762 11 11	20304 0 8	Ditto.
2. Hoodah Shakhalespore,...	Doolah Dehya, &c., .....	9848 11 4	401 7 4	
3. Hoodah Poursuttumbatty, .....	Shishuonath Ghose, .....	8356 8 2	135 6 0	
4. Hoodah Paltakabatty, .....	Meah Meerjohn, &c., .....	11530 4 3	1062 5 1	
5. Dehee Gunkur Churkha, .....	Essur Bindabun Bebaree Tahconr, Sawt Bejoy Gobind Burraul, .....	14886 12 10	633 14 11	
6. Turf Muneeahdehee, .....	Mohes Chunder, &c., .....	12916 4 8	9854 13 0	
7. Kint. Ph. Futtah Sing, .....	Rajah Kishon Chund and Koonwar Ram Chund, .....	46326 4 9	39773 14 5	

Moorshedabad, Collector's Office, the 2d July, 1841.

PIERCE TAYLOR, Collector.

**NOTICE of Public Sale for Arrears of Revenue, unless intermediately liquidated, at the Collector's Office, Zillah Jessore, on the 23d day of July 1841 next, corresponding with 9th Sraban 1248 B. S.**

Name of Mahal to be sold, and of the Pargunnah in which it is situated, and No. of Lot in Collector's Sale Advertisement.	Recorded Proprietor.	Annual Sudder Jumma.	Arrears of Revenue, including Interest and Penalty.	Remarks.
1. Ph. Essupore Amcarnabad,...	Beemulla Dosses, .....	14004 15 11	805 10 9	Indigo, Date Tree, Sugar, and all kinds of Grain are produced in this Mahal.
2. " Mahomedahya, Hissa } 3 As. 4 Ga., .....	Tarconychurn Banerjee, ...	34149 1 8	2022 4 10	
3. " Nuldee, .....	Sreenarain Singh, .....	21211 11 7 1/2	3047 13 1 1/2	
4. " Ramchunderpore, .....	Kallynath Roy, & ora., .....	16454 11 9	148 2 4	
5. " T. Ruesoolpore, in } Ph. Essupore, .....	Pollinabeharry Sein, & ora., .....	29402 8 3	608 14 9	
6. " Syedpore, .....	Rajah Bardakanth Roy, ...	46182 10 2	2899 13 3	

Zillah Jessore, Collector's Office, the 6th July, 1841.

C. STEER, Offg. Collector.

**NOTICE of Public Sale for Arrears of Revenue, unless intermediately liquidated, at the Collector's Office, Zillah Jessore, on the 23d day of July 1841 next, corresponding with 9th Sraban 1248 B. S.**

Name of Mahal to be sold, and of the Pargunnah in which it is situated, and No. of Lot in Collector's Sale Advertisement.	Recorded Proprietor.	Annual Sudder Jumma.	Arrears of Revenue, including Interest and Penalty.	Remarks.
1. Ph. Datan, &c., .....	Bourchander Pal Chowdry & ora., .....	47922 5 6 1/2	435 2 0 1/2	Indigo, Date Tree, Sugar, and all kinds of Grain are produced in this Mahal.
2. T. Koolbarah, in Ph. Mahomedahya, .....	Ramkanth Deb Roy, and ora., .....	8233 2 1 1/2	446 10 1 1/2	
3. Ph. Santore, .....	Bourchander Pal Chowdry & ora., .....	42333 7 5	1440 7 1	

Zillah Jessore, Collector's Office, the 9th July, 1841.

C. STEER, Offg. Collector.

**NOTICE of Public Sale**, in satisfaction of a Decree of the Civil Court, (unless intermediately liquidated) at the Collector's Office, Zillah Cuttack, on Saturday, the 7th August, 1841, corresponding with 25th Srabon 1248 U.

Name of Estate to be sold, and Pergunnah in which it is situated and No. of Lot in Collector's Sale Advertisement.	Recorded Proprietor.	Amount Sudder Jumma.	Amount of Decree in satisfaction of which it is now to be sold.	Name of Plaintiff.	Remarks.
No. 1, Killah Durpan, {	Raja Shaik Ukbar { Hosain, .....	7310 10 2	19841 9 7	Doorgapersad Pandit deceased, Uncle and Master of Gopenath Pandit minor, adopted Son of Mahatab Rai Pandit.	{ This is a very profitable Estate — Produces Paddy, Gram, Tobacco, Sugar Cane, &c., and offers a most desirable investment for Capital.

Zh. Cuttack, Collr's Office, the 5th July 1841.

E. E.

G. G. MACKINTOSH, Offg. Collr.

**NOTICE of Public Sale for Arrears of Revenue, &c.** unless intermediately liquidated, at the Collector's Office, of Zillah Mymensingh, on Friday, the 6th August 1841, or 23rd Srabon 1248 B. S., prepared as per Form received with Commissioner's Circular No. 322, dated 14th November 1835.

Names of Mohals to be sold, and of the Pergunnah in which they are situated and Number of the Lot in the Collector's Sale Advertisement.	Recorded Proprietors.	Amount of Sudder Jumma.	Arrears of Revenue, including Interest for the Quist of May, 1841.	Remarks.
No. 1. Pergh, Allapsing, Ha. 1 Anna 8 Gds. 2 Cra. 2 Kta. ...	Shibkishore Acharge Chowdry, &c., .....	5,083 7 2	163 14 0	{ This Mohal is under Butwarrah.
" 3. Ditto Ditto, Ha. 4 Annas, .....	Chundroboleo Dibbea, &c., ...	15,016 12 1	468 10 4	
" 4. Ditto Atias, Ha. 8 Annas, including Ismaillee Matean Dognr, .....	Rowshan Khatoon Chowdry & ors., .....	21,533 3 5	553 6 11	
" 15. Ditto Burbazoo, Ha. 7 As. including Ismaillee Abdulpore, & ors., .....	Babun Baboo & ors., .....	3,858 1 7	243 7 11	
" 33. Ditto Cogmarree, Ha. 6 As., .....	Golucknath Roy Chowdry, ...	9,931 0 10	323 3 4	{ This Mohal is under Butwarrah.
" 34. Ditto Ditto, Ha. 5 As. including Ismaillee, ...	Doyamoo Chowdrans & ors., ...	8,586 0 5	304 14 1	
" 38. Tupeh Koorackhye, ...	Chundroboleo Dibbea & ors., ...	10,910 15 2	822 1 11	
" 40. Pergh. Hosonhye, & Joar Hosonpore, including Ismaillee, ...	B. K. Hume, Esq. & ors., .....	45,457 14 6	1,934 4 8	
" 54. Ditto Mymensing. Ha. 4 As. including Burbeella, .....	Shumbockunder Chowdry & ors., .....	29,653 15 8	747 12 1	{ This Mohal is under Butwarrah.
" 55. Ditto Mymensing, Ha. 4 Annas, .....	Tarreenykhuth Lahorree & ors., ...	32,445 9 11	657 3 8	Ditto.
" 56. Ditto Ditto, Ha. 4 As., .....	Narainee Dibbea Chowdrans & ors., .....	32,443 8 4	818 12 4	
" 57. Ditto Ditto, Ha. 4 Annas, .....	Bugguruttee Dibbea & ors., ...	32,591 4 7	469 6 7	
" 70. Ditto Nussorojeal, Ha. 4 As. 10 Gds. including illegallly separated Mohals, .....	Joygugut Chunder Chowdry & ors., .....	7,194 1 1	233 0 3	
" 89. Ditto Soceung, Ha. 14 Annas, .....	Rajah Bhasonath Sing & ors., ...	18,369 5 4	216 8 2	

These Lands produce Paddy, Sugar Cane, Indigo, Coconuts, &c. &c. &c.

Mymensing Collector's Office, the 6th July, 1841.

E. M. SKINNER, Collector.



# Just Published,

And for Sale at the Bengal Military Orphan Press,

Reports of Cases in the Court of Nizamut Adawlut, Part 2 of Vol. 5, containing Reports from 1835 to 1840 inclusive. Royal 8vo. ....	Rs. 8
Reports of the Sudder Board of Revenue, regarding the Survey and Settlement of the Land Revenue in the N. W. Provinces, Deing 4to. ....	4
Circular Orders passed by the Sudder Dewanny Adawlut, Part 3 of Vol. 3, from Jany. 6 to Deer. 18 1840, with an Index to Parts 1, 2, & 3, or from the end of 1837 to the end of 1840, ....	6
Circular Orders passed by the Nizamut Adawlut, Part 2 of Vol. 3, from Jany. 6 to Deer. 25, 1840, with an Index from the end of 1837 to the end of 1840, ....	4
Minute on the Cooley Question, by J. F. Grant, Esq., foolscap folio, pp. 75, ....	3

G. H. HUTTMANN,

July 15th, 1841.

Sept.

## East India Army Agency,

16, CORNHILL, AND 8, ST. MARTIN'S PLACE,  
CHARING CROSS.

Messrs. GRINDLAY, CHRISTIAN, & MATTHEWS.

THE numerous communications which have been addressed to Captain Grindlay from all parts of India, conveying the most flattering approbation of the manner in which his duties to his constituents have hitherto been performed, and the most cordial assurances of support to the new Firm, commenced in November, 1838, are felt by him to call for a public expression of gratitude.

In thus offering his thanks for the extensive and honorable patronage long afforded to the Establishment under his sole management, and now so kindly promised to the Firm of GRINDLAY, CHRISTIAN AND MATTHEWS, he begs to assure his numerous friends and well wishers, that the efforts of himself and his partners will be unremittingly directed to merit the continued confidence reposed in them by the various branches of the Indian community, both at home and abroad.

The high character attained by the Establishment under his superintendence has been the result of many years' perseverance,—its pretensions were tested by experience, and the value of the facilities which it afforded for the dispatch of business, tried and vouched for by a large proportion of those whose engagements led them to India. It is acknowledged with pride, that success followed exertion, and the means have thus been obtained of increasing the resources of the Establishment and greatly enlarging the circle of its usefulness.

In conclusion, Messrs. GRINDLAY, CHRISTIAN AND MATTHEWS have only to remind their Subscribers and the Public at large, that they continue to transact every description of business connected with India and the Colonies.

Parties desiring to support this Agency are informed that Subscriptions of 12 Rupees per annum will be received by

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### Between Europe and India Overland.

THE following PLAN, now in practice by a large number of the Subscribers to Messrs. GRINDLAY and Co.'s Agency, is recommended for general adoption:—

ALL Letters should be addressed in the ordinary manner, but with the addition of "16, Cornhill" below, and the name of the Subscriber on the back, of whose account the Postage is to be charged. The Letters are, immediately on their receipt, registered and forwarded (post paid) by Messrs. G. and Co. to the address, either permanent or variable, of the Party in Europe or India respectively. The Postages, with the Annual Subscription, are charged periodically in account with the Subscriber, payable either in England or India; or in many cases a remittance in advance is made to cover the probable estimated amount during the year.

An Envelope, containing several enclosures, written on thin paper and wafered, may thus be sent:—

### Via Marseilles.

#### IF WEIGHING

Under Quarter of an Ounce, a single rate of postage .....	2s. 3d
Under Half ditto, double ditto .....	3s. 6d

### Via Palmouth.

#### IF WEIGHING

Under Half of an Ounce, a single rate of postage .....	1s. 0d
Under One Ounce, double ditto .....	2s. 0d.

The Enclosures would then be forwarded by Messrs. G. and Co. to their respective destinations.

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And it is requested that a Letter of full Instruction be addressed to Messrs. G. and Co.



# SECOND SUPPLEMENT TO The Calcutta Gazette.

Published by Authority.

WEDNESDAY, JULY 21, 1841.

## PORT WILLIAM, LEGISLATIVE DEPARTMENT, THE 19TH JULY, 1841.

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 19th of July 1841, is hereby promulgated for general information.

Act No. XII. of 1841.

### An Act for amending the Bengal Code in regard to Sales of Land for Arrears of Revenue.

#### Preamble.

I. Whereas it is deemed expedient with a view to the benefit of the Agricultural Community, to regulate the number of periodical sales of Estates for arrears of Revenue; to discontinue the levy of interest and penalty upon such arrears; to provide for the sale at fixed and known periods of *Mehals*, the whole of the Land Revenue due from which may not have been discharged on or by appointed days; and otherwise to amend the laws for the realization of the Land Revenue;—

It is hereby enacted, that Sec. 2, Reg. XIV. 1793; Sec. 2, Reg. III. 1794, Reg. XI. 1822, except Sections 36 and 38, and Reg. VII. 1830 are rescinded, except in so far as they rescind other Regulations or parts of Regulations.

II. And it is hereby enacted, that there shall be no demand of interest or penalty upon any arrear of Land Revenue which shall fall due after the date specified in Section XXXIV. of this Act.

III. And it is hereby enacted, that upon the promulgation of this Act the Sudder Board of Revenue at Calcutta, shall determine with regard to each permanently settled District or *Zillah* under their jurisdiction, the fixed dates in each year on which shall be commenced the process for realizing by sale of *Mehals* the arrears of Land Revenue due thereupon. And the said Board shall give notice of the dates so fixed in the Calcutta Gazette; and shall direct corresponding publication to be made, as far as regards each District, in the language of that District, in the Office of the Collector, or other duly authorized to hold sales under this Act, the Courts of the Judge, Magistrate, Principal Ameen, Sudder Ameen, and Sudder Moonsiff; and the days so fixed shall not be changed until the same be changed by the said Board by advertisement and notifications in the manner above described; such advertisements and notifications to be issued, on every occasion after the first above provided for, at least three months before the close of the official year preceding that in which the new date or dates are to take effect. Provided always, that another notice shall also be given for a period of not less than 15 clear days previous to each fixed date of sale by advertisement to be stuck up in each of the aforesaid Offices and Courts, and the Collector shall be bound to furnish during this interval to all persons full particulars as to what estates are in balance, and the amount due on each.

#### Exception in unsettled Provinces and Benares.

IV. And it is hereby enacted, that in Districts not permanently settled, and in the Province of Benares, no sale shall take place for arrears of Land Revenue or other demand of Government without the special sanction of the Sudder Board of Revenue previously obtained in each several case of sale.

#### Definition of an Arrear.

V. And it is hereby enacted, that if the whole or a portion of a kist or instalment of any month of the year, according to which the settlement and kistbandee of any *Mehal* have been regulated be unpaid on the first of the following month of such year, the sum so remaining unpaid shall be considered an arrear of Revenue.

VI. And it is hereby enacted, that All Estates in arrear to be sold, except as hereinafter excepted, all Estates from which at any set of the day preceding that fixed for a sale an arrear of Revenue may be due, shall, on the said fixed day, or on the day or days following as hereinafter provided, be put up to public auction by and in the presence of the Collector or other Officer, authorized by Government to exercise the powers of Collector in that behalf, and shall be sold to the highest bidder; and no payment or tender of payment made subsequent to sunset of the day preceding that fixed for a sale shall bar or interfere with the sale either at or after its conclusion.

VII. And it is hereby enacted, that no claim to abatement or remission of Revenue unless the same shall have been allowed by the authority of Government, nor any private demand or cause of action whatever held or supposed to be due by any defaulter against Government shall bar a sale; or render a sale under this Act void or voidable; nor shall the plea that money belonging to the defaulter, and sufficient to pay the balance or part of it, was in the Collector's hands; bar a sale or render a sale under this Act void or voidable, unless such money stand in the defaulter's name alone and without dispute, and unless after application in due time made by the defaulter, the Collector shall have neglected, or refused on insufficient grounds, to transfer it to the credit of the estate.

#### Exceptions.

VIII. Provided always, and it is hereby enacted, that no estate shall be sold for the recovery of arrears or demands of the description mentioned below, otherwise than after a notification in the language of the District, specifying the nature and amount of the arrear or demand, shall have been affixed, for a period of not less than fifteen clear days preceding the day of sale, in the Office of the Collector, or other Officer as aforesaid, by whom the sale is intended to be made, in the Court of the Judge within whose jurisdiction the land advertised lies, in the Courts of all the Principal Sudder Ameen, Sudder Ameen and Moonsiffs of the District, and at the Police Thannah of the Division in which the estate to which the notice relates; or part of it is situated, the same to be certified by the receipt of the Officer at whose Office such publication may have been made; and also the Duty of the Magistrate of the estate, or at some conspicuous place upon the estate, the same to be certified by

the person or other person employed for the purpose. And it shall be declared in the said notification that no payment or tender of payment of the arrear or demand due, which may be made after sun set of the day preceding the fixed day of sale, will bar or interfere with the sale either at or after the transaction.

**First.**—Arrears due from or to be recovered by the sale of estates not permanently settled.

**Secondly.**—Arrears other than those of the current or of the preceding year.

**Thirdly.**—Arrears due on account of estates other than that to be sold.

**Fourthly.**—Arrears of estates under attachment by order of the Judicial Authorities.

**Fifthly.**—Arrears due on account of Taccary, Pootbundas, or other demands not being Land Revenue, but recoverable by the same process as arrears of Land Revenue.

**IX.** And it is hereby enacted, that Collectors shall, at any time before sunset of the day preceding

the fixed day of sale receive as a deposit from any party not being a proprietor of the estate in arrear, the amount of the arrear of Revenue due from it, to be carried to the credit of the said estate at sunset as aforesaid, unless before that time the arrear shall have been liquidated by a proprietor of the estate. And in case the party so depositing, whose money shall have been credited to the estate in the manner aforesaid, shall be a plaintiff in a suit pending before a Court of Justice for the possession of the same or any part thereof, it shall be competent to the Judge of the Zillah in which such estate is situated, to order the said party to be put into temporary possession of the said estate, subject to the rules in force for taking security in the case of appellants and defendants. And if the party depositing whose money shall have been credited as aforesaid shall prove before a competent Civil Court that the deposit was made in order to protect an interest of the said party, which would have been endangered, or damaged by the sale of the estate, he shall be entitled to recover the amount of the deposit with interest, from the proprietors of the said estate.

**X.** And it is hereby enacted, that no estate shall be liable to sale for the recovery of arrears which have accrued during the period of its being under the management of the Court of Wards, and no estate,

**Ward's Estates.** the sole property of a minor or minors, and descended to him or them

by the regular course of inheritance duly notified to the Collector for the information of the Court of Wards, but of which the Court of Wards has not assumed the management under Regulation VI. 1832, shall be sold for arrears of Revenue accruing subsequently to his or their succession to the same, until the minor or minors, or one of them, shall have attained the full

**Attached by a Revenue Officer.** age of 18 years. And no estate held under attachment by the Revenue Authorities, otherwise than

by order of a Judicial Authority, shall be liable to sale for arrears accruing whilst it was held under attachment. And no estate held

**Attached by a Court.** under attachment by a Revenue Officer, in pursuance of an order of a Judicial Authority, shall be liable to sale for the recovery of arrears of Revenue accruing during the period of such attachment, until after the end of the year in which such arrears accrued.

**XI.** And it is hereby enacted, that it shall be competent to the Collector at any time before the sale

**Exemption from sale.** of an estate shall have commenced to exempt such estate from sale; and in like manner it shall be competent to the Commissioner of Revenue at any time before the sale of an estate shall have commenced, to exempt such estate from sale, by a special order to the Collector to that effect in each case; and no sale of an estate shall be legal if held after the receipt of an order of exemption in respect to such estate. Provided, however, and it is hereby enacted, that the Collector or Commissioner shall duly record a proceeding the reason for granting such exemption; and provided also, that an order for exemption so issued by the Commissioner shall not affect the legality of a sale which may have taken place before the receipt by the Collector of the order for exempting it from sale.

**Proviso.** **XII.** And it is hereby enacted, that sales shall ordinarily be made by the Collector or other Officer duly authorized by Government in that behalf in the Land Revenue Cutcherry at the Sudder Station of the District, provided,

however, that it shall be competent to the Sudder Board to prescribe a place for holding sales other than such Cutcherry whenever they shall consider it beneficial to the parties concerned.

**XIII.** And it is hereby enacted, that in case the Collector, or other Officer, as aforesaid, shall be

**Adjournment.** unable from sickness, from the occurrence of a holiday, or from any other cause to commence the sale on the day of sale fixed as aforesaid, or if, having commenced it, he be unable, from any cause, to complete it, he shall be competent to adjourn it to the next day following, not being Sunday or other close holiday, recording his reasons for such adjournment, forwarding a copy of such record to the Commissioner of Revenue, and announcing the adjournment by a written proclamation stuck up in his Cutcherry; and so on, from day to day, until he shall be able to commence upon, or to complete the sale, but with the exception of adjournments so made, recorded, and reported, each sale shall invariably be made on the day of sale fixed in the manner aforesaid.

**XIV.** And it is hereby enacted, that on the day of sale fixed according to Section III. of this

**Order of sale.** Act, sales shall proceed in regular order; the estate to be sold bearing the lowest number on the Torjue or registers in use in the Collector's Office of the District being put up first, and so on, in regular sequence; and it shall not be lawful for the Collector or other Officer as aforesaid to put up any estate out of its regular order by number.

**XV.** And it is hereby enacted, that the party who shall be declared the purchaser of an estate at any

**Deposit on purchase.** such public sale as aforesaid, shall be required to deposit immediately, or as soon after the conclusion of the sale as the Collector may think necessary, either in Cash, Bank of Bengal Notes or Post Bills, or Government Securities duly indorsed, 25 per cent. on the amount of his bid, and in default of such deposit, the estate shall, forthwith, be put up again and sold.

**XVI.** And it is hereby enacted, that the full amount of purchase money shall be made good by the purchaser before sun set of the thirtieth

day from that on which the sale of the estate bought by him took place, reckoning that day as one of the thirty; or if the thirtieth day be a Sunday or other close holiday, then on the first office day after the thirtieth; and in default of payment within the prescribed period as aforesaid, then and afterwards as often as such default shall occur, the deposit shall be forfeited to Government, the estate shall be resold, and the defaulting purchaser shall forfeit all claim to the estate, or to any part of the sum for which it may subsequently be sold, and in the event of the proceeds of the sale which may be eventually consummated being less than the price bid by the defaulting bidder aforesaid, the difference shall be leviable from him by any process authorized for realizing an arrear of public Revenue, and it shall be so levied and credited to the defaulting proprietor of the estate sold, and if default of payment of purchase money shall have occurred more than once, the defaulting bidders shall be held jointly and severally responsible for such difference to the extent of the amount of their respective bids. Provided always, that every such re-sale shall be made after notification and in the forms prescribed by Section VIII. of this Act.

**XVII.** And it is hereby enacted, that whenever an estate shall have

**Rents stopped up.** been sold as aforesaid, the Collector, or other Officer as aforesaid, shall affix a proclamation in the language of the District in his Cutcherry; and as soon thereafter as may be in the Cutcheries of the Moonsiffs and of the Darogahs of Police, within whose jurisdiction or jurisdictions any part of such estate may be situated; and also at the Cutcherry of the Malgoosar of such estate; or on some conspicuous place on such estate, forbidding ryots and under-tenants of such estate to pay rent due subsequent to the date therein specified and up to the date of the subsequent notice hereinafter prescribed by Section XX. of this Act, on pain of not being entitled to credit in their accounts with the purchaser for any sums paid within the period aforesaid.

**XVIII.** And it is hereby enacted, that it shall be lawful for the Commissioner of Revenue to receive an appeal against any sale made under this Act if preferred to him on or before the fifteenth day from the date of sale, reckoning as in Section XVI., or if preferred to the Collector for transmission to the Commissioner on or before the tenth day from the day of sale, and not after.



wise; and the Commissioner shall be competent in every case of appeal preferred, to annul any sale of an estate made under this Act, which shall appear to him not to have been conducted according to the provisions of this Act, awarding at the same time to the purchaser a payment from the proprietor of any moderate compensation, for his loss, if the sale shall have been occasioned by neglect of the proprietor, such compensation not to exceed interest, at the current rate of Government Securities, on the amount of deposit or balance of purchase money during the period of its being retained in the Collector's Office, and the order of the Commissioner shall, in such cases, be final.

**XIX.** And it is hereby enacted, that it shall be competent to the Commissioner of Revenue on the ground of hardship or injustice to suspend the passing of final orders in any case of appeal from a sale and to represent the case to the Sudder Board of Revenue, who, if they see cause, may recommend to the Local Government to annul the sale; and the Local Government in any such case, may annul the sale and cause the estate to be restored to the proprietor on such conditions as may appear equitable and proper.

**XX.** And it is hereby enacted, that all sales of which the purchase money has been paid up as prescribed in Section XVI of this Act, and against which no appeal shall have been preferred, shall be final and conclusive at noon of the thirtieth day from the day of sale, reckoning the said day of sale, as the first of the said thirty days. And sales against which an appeal may have been preferred, and the appeal dismissed by the Commissioner, shall be final and conclusive from the date of such dismissal, if more than thirty days from the day of sale, or if less, then at noon of the thirtieth day as above provided.

**XXI.** And it is hereby enacted, that immediately upon a sale becoming final and conclusive, the Collector or other Officer as aforesaid, shall give to the purchaser a Certificate of title in the following form:

I certify that A. B. has purchased at Public Auction under Act XII. of 1841, Mehal C, and that his purchase has taken effect on and since the — day of — (being the date of sale.)

(Signed) D. E., Collector.

And the said certificate shall be deemed in any Court of Justice sufficient evidence of the title to the estate sold being vested in the person or persons named from the date specified; and the Collector shall also notify such transfer by written proclamation in his own Cutcherry, and in those of the Munsiff and Darogah of the jurisdictions within which any part of the estate sold shall be situated, and also at the Cutcherry of the Malgoosar of the estate or on some conspicuous place on the Estate; and shall apply the purchase money first to the liquidation of all arrears due upon the day of sale, or upon the day of the original sale, if the sale finally consummated be a resale; and secondly, to the liquidation of all outstanding demands debited to the Mehal in the Public accounts of the district, holding the residue, any, in deposit on account of the late recorded proprietor or proprietors of the estate sold, to be paid to their receipt on demand in the manner following; to wit, in shares proportioned to their recorded interest in the estate sold, if such distinction of shares were recorded, or if not, then as an aggregate sum to the whole body of proprietors upon their joint receipt. Provided that, if prior to payment of any surplus that may remain of the purchase money after liquidation of all Government arrears and dues to the proprietor of the estate sold, or his representative, the same be claimed by creditors in satisfaction of debts due by him to them, or by any one creditor, such surplus shall not be payable to any such claimant, nor shall it be withheld from the proprietor by attachment, except under precept, and in satisfaction of Decrees of Court for such debts. And if the balance of purchase money have in any such case been paid away in liquidation of the proprietor's just debts by order of any Court, and a Decree shall afterwards pass for annulling the sale, the proprietor shall not be restored to possession until the amount so paid away be returned by him with interest.

**XXII.** And it is hereby enacted, that any suit brought to annul the certified purchase as aforesaid, on the ground that the purchase was made on behalf of another person, not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

**XXIII.** And it is hereby enacted, that the annulment of a sale by a Commissioner shall be publicly notified by the Collector or other Officer

as aforesaid in the same manner as the becoming final and conclusive of sales is required to be notified by Section XXI. of this Act, and the amount of deposit and balance of purchase money shall be forthwith returned to the purchaser, with interest thereon, at the highest rate of the current public securities, from the dates on which they were respectively paid in, to the date on which the refund is actually made.

**XXIV.** And it is hereby enacted, that the party certified as proprietor of an estate by purchase at public sale for the recovery of arrears of Revenue shall be answerable for all instalments of the Revenue of Government which may fall due subsequently to the day of sale: provided, however, that in the case of re-sales the purchaser shall be answerable for all instalments of Revenue which fell due subsequently to the day of the first sale.

**XXV.** And it is hereby enacted, that no sale for arrears of Revenue or other demands realizable in the same manner, made after the taking effect of this Act, shall be set aside by a Court of Justice except upon the ground of its having been made contrary to the provisions of this Act: And except the contravention thereto shall have been declared and specified in an appeal made to the Commissioner, under Section XVIII of this Act, and except the action in the Civil Court be instituted within one year, from the date of the sale becoming final and conclusive, as provided in Section XX. of this Act: And no person shall be entitled to contest the legality of a sale after having received any portion of the purchase money: Provided, however, and it is hereby enacted, that nothing in this Act contained shall be construed to debar any person considering himself wronged by any act or circumstance connected with a sale under this Act, from his remedy in a personal action for damages against the individual by whose act or omission he considers himself to have been wronged.

**XXVI.** And it is hereby enacted, that in the event of a sale being reversed by a final decree of a Court of Justice, the purchase money shall be refunded to the purchaser by Government, together with interest at the highest rate of the current public securities.

**XXVII.** And it is hereby enacted, that the purchaser of an estate sold under this Act, for the recovery of arrears due on account of the same, in the permanently settled districts of Bengal, Behar, Orissa and Benares, shall acquire the estate free from all encumbrances which may have been imposed upon it after the time of settlement, and shall be entitled after notice given under Section X. Regulation V. 1812, to enhance at discretion, (any thing in the existing Regulations to the contrary notwithstanding) the rents of all under-tenures in the said estate, and eject all tenants thereof, with the following exceptions:

**First.** Tenures which were held as Istemraee or Moucurrees at a fixed rent, more than 12 years before the permanent Settlement.

**Secondly.** Tenures existing at the time of the Decennial Settlement, which have not been, or may not be, proved to be liable to increase of assessment, on the grounds stated in Section LI. Regulation VIII. of 1793.

**Thirdly.** Lands held by Khoud Kasht or Kudeemes Ryats having rights of occupancy at fixed rents or at rents assessable according to fixed rules under the Regulations in force.

**Fourthly.** Lands held under bond side Muzas, at fair rents, temporary or perpetual, for the erection of dwelling houses, or manufactories, or for mices, gardens, tanks, canals, places of worship, burying grounds, clearing of jungle, or like beneficial purposes, such lands continuing to be used for the purposes specified in the leases.

**Fifthly.** Farms granted in good faith at fair rents and for specified areas by a former proprietor, for terms not exceeding twenty years, under written leases, registered within a month from their date. Provided that a written notice, specifying full particulars of the position, rent and area of the lands, the terms of the lease and the names of the parties shall at the same time be given by the latter to the Collector: In every case and the Collector shall be at liberty to object to the same in the event of his

seeing reason to believe that the security of the Public Revenue will be materially affected thereby. The exception declared in this Clause shall not extend to leases objected to by the Collector, by a notification to be fixed up in his Office, with the sanction of the Commissioner, within three months of the date of the notice so made to him by the parties. Provided also, that a purchaser of an estate at a sale for arrears of Revenue shall be at liberty by suit in Court to set aside all such farms although the same be under written and duly registered leases and although such notice may have been given as aforesaid, if the same shall not have been granted in good faith at fair rents.

**Under-tenures elsewhere.**

XXVIII. And it is hereby enacted, that the purchaser of an estate sold under this Act for the recovery of arrears due on account of the same in Districts other than those mentioned in Section XXVII. shall acquire the estate free from all encumbrances which may have been imposed upon it after the time of settlement, and shall be competent to avoid and annul all tenures which may have originated with the defaulter or his predecessors, being representatives or assignees of the original engager, as well as all agreements with ryots or the like settled or credited by the first engager or his representatives, subsequently to the last Settlement, as well as all tenures which the first engager may, under the conditions of his settlement, have been competent to set aside, alter, or renew, saving always and except bona fide leases of ground for the erection of dwelling houses, or buildings, or for offices thereunto belonging, or for gardens, tanks, canals, water-courses, or the like purposes, which leases or engagements shall, so long as the land is duly appropriated to such purposes, and the stipulated rent paid, continue in force and effect. Provided that nothing in this Act contained shall be construed to entitle any purchaser of land at a public sale to demand a higher rate of rent from any persons whose tenure or agreement may be annulled as aforesaid than was demandable by the former Malgozars, except in cases in which such persons may have held their lands under engagements, stipulating for a lower rate of rent than would have been justly demandable for the land, in consequence of abatements having been granted by the former Malgozars from the old established rates by special favour, or for a consideration, or the like, or in cases in which it may be proved that according to the custom of the Pergunnah, Muazah, or other local division such persons are liable to be called upon for any new assessment, or other demand not interdicted by the Regulations of Government.

**Local Government may rescue all under-tenures.**

XXIX. And it is hereby enacted, that it shall be competent to the Local Government when it shall seem proper at any time before a sale for arrears shall have been actually made, to direct it to be made, subject to the leases, assignments, or other incumbrances, with which a proprietor in possession, his ancestors, or predecessors may have burdened his assessed Estate, or to such of them as shall appear proper. In all such cases, notice of the condition imposed by the Local Government shall be given by the Collector at the time of calling up the lot for sale, and such further notification shall be made as the Local Government may direct: provided, however, that in case the sale so restricted shall not realize an amount equal to the arrear due at the time of sale, or there shall appear ground to apprehend, that by reason of the restriction the future realization of the Revenue will be endangered, it shall be competent to the Local Government at any time before such restricted sale shall have become final and conclusive in the manner laid down in Section XX of this Act, to direct the sale to be cancelled, and a new sale of the estate to be made without other restrictions than those contained in the exceptions specified in Clauses 1 to 3 of Sec. XXVII. of this Act. If after the Sale has

become final and conclusive, occasion should again arise to bring to sale for arrears an estate purchased with a restriction of the above description, it shall at all times be competent to the Local Government to direct that the *Mahal* shall be sold without any other restriction than those contained in the exceptions specified in Clauses 1 to 3 of Sec. XXVII. of this Act, or with the reservation before reserved. In the former event, should the purchase money realized by the unrestricted sale exceed in a large amount the sum obtained at the restricted sale, it shall further be competent to the Local Government to direct a portion, or the whole of the excess to be paid to persons whose interests having been reserved at the first, shall become void at the second sale.

**Purchase by a recorded or unrecorded proprietor or copartner, &c.**

XXX. And it is hereby enacted, that excepting copartners of estates under *statwarrah* who may have saved their shares from sale under Sections 33 and 34, Regulation XIX. 1814, any recorded or unrecorded proprietor or copartner who may purchase in his own name or in the name of another the estate of which he is proprietor or copartner; or who by re-purchase or otherwise, may recover possession of the said estate after it has been sold for arrears under this Act; and likewise any purchaser of an estate sold for other arrears or demands than those accruing upon itself, shall by such purchase acquire the estate subject to all its encumbrances existing at the time of sale and shall not acquire any rights in respect to ryots and under-tenants which were not possessed by the previous proprietor at the time of the sale of the said estate.

**Arrears of rent.**

XXXI. And it is hereby enacted, that arrears of rent which at the date of sale may be due to the defaulter from his tenants, shall be recoverable by him after a sale by any process except distraint which might have been used by him for that purpose before the sale was made.

**Contempt.**

XXXII. And it is hereby enacted, that any Collector or Officer exercising the powers of Collector, in respect to Sales, shall be competent to punish any contempt committed in his presence in open *Cutcherry* or Office for the time being, by fine, to an extent not exceeding *Co's Rs.* 200, commutable, if not paid, to imprisonment in the civil jail for a period not exceeding one month; and the Magistrate to whom such an offender may be sent by a Collector as aforesaid, shall carry his sentence into effect. Provided that an appeal from any order passed under this Section shall lie to the Revenue Commissioner, whose decision shall be final.

**Default.**

XXXIII. And it is hereby enacted, that a default to make good a bid by making the deposit required by Section XV. of this Act shall be held to be a contempt.

**Operation of Act.**

XXXIV. And it is hereby enacted, that the operation of this Act shall be confined to the Provinces of Bengal, Behar, Orissa and *Biqures*, now subject to the General Regulations and to the Ceded and Conquered Provinces similarly subject to the General Regulations under the Government of the Presidencies of Fort William in Bengal, and nothing in this Act contained shall affect land in the Town of Calcutta or the Settlements of Singapore, Penang or Malacca.

**Date of effect.**

XXXV. And it is hereby enacted, that this Act shall have effect on and after the First day of January 1842.

T. H. MADDOCK,  
Secy. to the Govt. of India.



SUPPLEMENT TO

# The Calcutta Gazette.

Published by Authority.

SATURDAY, JULY 24, 1841.

## FORT WILLIAM, LEGISLATIVE DEPARTMENT,

THE 19TH JULY, 1841.

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 19th of July 1841, is hereby promulgated for general information.

Act No. XII. of 1841.

*An Act for amending the Bengal Code in regard to Sales of Land for Arrears of Revenue.*

### Preamble.

I. Whereas it is deemed expedient with a view to the benefit of the Agricultural Community, to regulate the number of periodical sales of Estates for arrears of Revenue; to discontinue the levy of interest and penalty upon such arrears; to provide for the sale at fixed and known periods of Mehals, the whole of the Land Revenue due from which may not have been discharged on or by appointed days; and otherwise to amend the laws for the realization of the Land Revenue;—

It is hereby enacted, that Sec. 2, Reg. XIV. 1793; Sec. 2, Reg. III. 1794, Reg. XI. 1822, except Sections 36 and 38, and Reg. VII. 1820 are rescinded, except in so far as they rescind other Regulations or parts of Regulations.

II. And it is hereby enacted, that there shall be no demand of interest or penalty upon any arrear of Land Revenue which shall fall due after the date specified in Section XXXV. of this Act.

III. And it is hereby enacted, that upon the promulgation of this Act the Sudder Board of Revenue at Calcutta, shall determine with regard to each permanently settled District or Zillah under their jurisdiction, the fixed dates in each year on which shall be commenced the process for realizing by sale of Mehals the arrears of Land Revenue due thereupon. And the said Board shall give notice of the dates so fixed in the Calcutta Gazette; and shall direct corresponding publication to be made, as far as regards each District, in the language of that District, in the Office of the Collector, or other Officer duly authorized to hold sales under this Act, and in the Courts of the Judge, Magistrate, Principal Sudder Ameen, Sudder Ameen, and Sudder Moonsiff; and the days so fixed shall not be changed until the same be changed by the said Board by advertisements and notifications in the manner above described; such advertisements and notifications to be issued, on every occasion after the first above provided for, at least three months before the close of the official year preceding that in which the new date or dates are to take effect. Provided always, that another notice shall also be given for a period of not less than 15 clear days previous to each fixed date of sale by advertisement to be stuck up in each of the foramsaid Office and Courts, and the Collector shall be bound to furnish during this interval to all enquirers full particulars as to what estates are in Arrears, and the amount due in each.

*Exception in unsettled Provinces and Benares.*

IV. And it is hereby enacted, that in Districts not permanently settled, and in the Province of Benares, no sale shall take place for arrears of Land Revenue or other demand of Government without the special sanction of the Sudder Board of Revenue previously obtained in each several case of sale.

*Definition of an Arrear.*

V. And it is hereby enacted, that if the whole or a portion of a kist or instalment of any month of the year, according to which the settlement and kistbunds of any Mahal have been regulated be unpaid on the first of the following month of each year, the sum so remaining unpaid shall be considered an arrear of Revenue.

*All Estates in arrear to be sold.*

VI. And it is hereby enacted, that except as hereinafter excepted, all Estates from which at any set of the day preceding that fixed for a sale an arrear of Revenue may be due, shall on the said fixed day, or on the day or days following as hereinafter provided, be put up to public auction by and in the presence of the Collector or other Officer authorized by Government to exercise the powers of Collector in that behalf, and shall be sold to the highest bidder; and no payment or tender of payment made subsequent to sunset of the day preceding that fixed for a sale shall bar or interfere with the sale either before or after its conclusion.

*Claims to abatement and set off.*

VII. And it is hereby enacted, that no claim to abatement or remission of Revenue unless the same shall have been allowed by the authority of Government, nor any private demand or cause of action whatever held or supposed to be held by any defaulter against Government shall bar a sale, or render a sale under this Act void or voidable; nor shall the plea that money belonging to the defaulter, and sufficient to pay the balance or part of it, was in the Collector's hands, bar a sale or render a sale under this Act void or voidable, unless such money stand in the defaulter's name alone and without dispute, and unless after application in due time made by the defaulter, the Collector shall have neglected, or refused on insufficient grounds, to transfer it to the credit of the estate.

*Exceptions.*

VIII. Provided always, and it is hereby enacted, that no estate shall be sold for the recovery of arrears or demands of the description mentioned below, otherwise than after a notification in the language of the District, specifying the nature and amount of the arrear or demand, shall have been affixed, for a period of not less than fifteen clear days preceding the day of sale, in the Office of the Collector, or other Officer as aforesaid, by whom the sale is intended to be made, in the Court of the Judge within whose jurisdiction the land advertised lies, in the Courts of all the Principal Sudder Ameen, Sudder Ameen and Moonsiffs of the District, and at the Pottah Thannah of the Division in which the estate to which the notice relates, or part of it is situated, the same to be certified by the receipt of the Officer at whose Office such publication may have been made; and also at the Courtahery of the Malguzar of the estate, or at some convenient place upon the estate, the same to be certified by

the peon or other person employed for the purpose. And it shall be declared in the said notification that no payment or tender of payment of the arrear or demanded due, which may be made after sun set of the day preceding the fixed day of sale, will bar or interfere with the sale either at or after the transaction.

**First**.—Arrears due from or to be recovered by the sale of estates not permanently settled.

**Secondly**.—Arrears other than those of the current or of the preceding year.

**Thirdly**.—Arrears due on account of estates other than that to be sold.

**Fourthly**.—Arrears of estates under attachment by order of the Judicial Authorities.

**Fifthly**.—Arrears due on account of Taccary, Poolbundee, or other demands not being Land Revenue, but recoverable by the same process as arrears of Land Revenue.

**IX.** And it is hereby enacted, that Collectors shall, at any time before sunset of the day preceding the fixed day of sale receive as a deposit from any party not being a proprietor of the estate in arrear, the amount of the arrear of Revenue due from it, to be carried to the credit of the said estate at sunset as aforesaid, unless before that time the arrear shall have been liquidated by a proprietor of the estate. And in case the party so depositing, whose money shall have been credited to the estate in the manner aforesaid, shall be a plaintiff in a suit pending before a Court of Justice for the possession of the same or any part thereof, it shall be competent to the Judge of the Zillah in which such estate is situated, to order the said party to be put into temporary possession of the said estate, subject to the rules in force for taking security in the cases of appellants and defendants. And if the party depositing whose money shall have been credited as aforesaid shall prove before a competent Civil Court that the deposit was made in order to protect an interest of the said party, which would have been endangered, or damaged by the sale of the estate, he shall be entitled to recover the amount of the deposit with interest, from the proprietors of the said estate.

**X.** And it is hereby enacted, that no estate shall be liable to sale for the recovery of arrears which have accrued during the period of its being under the management of the Court of Wards; and no estate, the sole property of a minor or minors, and descended to him or them by the regular course of inheritance duly notified to the Collector for the information of the Court of Wards, but of which the Court of Wards has not assumed the management under Regulation VI. 1822, shall be sold for arrears of Revenue accruing subsequently to his or their succession to the same, until the minor or minors, or one of them, shall have attained the full age of 18 years. And no estate held under attachment by the Revenue Authorities, otherwise than by order of a Judicial Authority, shall be liable to sale for arrears accruing whilst it was so held under attachment. And no estate held under attachment by a Revenue Officer, in pursuance of an order of a Judicial Authority, shall be liable to sale for the recovery of arrears of Revenue accruing during the period of such attachment, until after the end of the year in which such arrears accrued.

**Ward's Estates and Minors's.**

**Attached by a Revenue Officer.**

**Attached by a Court.**

**Exemption from sale.**

**Proceeds.**

**Appeal.**

**XII.** And it is hereby enacted, that no estate shall be liable to sale for arrears of Revenue accruing during the period of its being under the management of the Court of Wards; and no estate, the sole property of a minor or minors, and descended to him or them by the regular course of inheritance duly notified to the Collector for the information of the Court of Wards, but of which the Court of Wards has not assumed the management under Regulation VI. 1822, shall be sold for arrears of Revenue accruing subsequently to his or their succession to the same, until the minor or minors, or one of them, shall have attained the full age of 18 years. And no estate held under attachment by the Revenue Authorities, otherwise than by order of a Judicial Authority, shall be liable to sale for arrears accruing whilst it was so held under attachment. And no estate held under attachment by a Revenue Officer, in pursuance of an order of a Judicial Authority, shall be liable to sale for the recovery of arrears of Revenue accruing during the period of such attachment, until after the end of the year in which such arrears accrued.

**XIII.** And it is hereby enacted, that no estate shall be liable to sale for arrears of Revenue accruing during the period of its being under the management of the Court of Wards; and no estate, the sole property of a minor or minors, and descended to him or them by the regular course of inheritance duly notified to the Collector for the information of the Court of Wards, but of which the Court of Wards has not assumed the management under Regulation VI. 1822, shall be sold for arrears of Revenue accruing subsequently to his or their succession to the same, until the minor or minors, or one of them, shall have attained the full age of 18 years. And no estate held under attachment by the Revenue Authorities, otherwise than by order of a Judicial Authority, shall be liable to sale for arrears accruing whilst it was so held under attachment. And no estate held under attachment by a Revenue Officer, in pursuance of an order of a Judicial Authority, shall be liable to sale for the recovery of arrears of Revenue accruing during the period of such attachment, until after the end of the year in which such arrears accrued.

however, that it shall be competent to the Sudder Board to prescribe a place for holding sales other than such Cutcherry whenever they shall consider it beneficial to the parties concerned.

**XIII.** And it is hereby enacted, that in case the Collector, or other Officer as aforesaid, shall be unable from sickness, from the occurrence of a holiday, or from any other cause to commence the sale on the day of sale fixed as aforesaid, or if, having commenced it, he be unable, from any cause, to complete it, he shall be competent to adjourn it to the next day following, not being Sunday or other close holiday, recording his reasons for such adjournment, forwarding a copy of such record to the Commissioner of Revenue, and announcing the adjournment by a written proclamation stuck up in his Cutcherry; and so on, from day to day, until he shall be able to commence upon, or to complete the sale, but with the exception of adjournments so made, recorded, and reported, each sale shall invariably be made on the day of sale fixed in the manner aforesaid.

**XIV.** And it is hereby enacted, that on the day of sale fixed according to Section III. of this Act, sales shall proceed in regular order; the estate to be sold bearing the lowest number on the Townso or registers in use in the Collector's Office of the District being put up first, and so on, in regular sequence; and it shall not be lawful for the Collector or other Officer as aforesaid to put up any estate out of its regular order by number.

**XV.** And it is hereby enacted, that the party who shall be declared the purchaser of an estate at any such public sale as aforesaid, shall be required to deposit immediately, or as soon after the conclusion of the sale as the Collector may think necessary, either in Cash, Bank of Bengal Notes or Post Bills, or Government Securities duly indorsed, 25 per cent. on the amount of his bid, and in default of such deposit, the estate shall, forthwith, be put up again and sold.

**XVI.** And it is hereby enacted, that the full amount of purchase money shall be made good by the purchaser before sun set of the thirtieth day from that on which the sale of the estate bought by him took place, reckoning that day as one of the thirty; or if the thirtieth day be a Sunday or other close holiday, then on the first office day after the thirtieth; and in default of payment within the prescribed period as aforesaid, then and afterwards as often as such default shall occur, the deposit shall be forfeited to Government, the estate shall be resold, and the defaulting purchaser shall forfeit all claim to the estate, or to any part of the sum for which it may subsequently be sold, and in the event of the proceeds of the sale which may be eventually consummated being less than the price bid by the defaulting bidder aforesaid, the difference shall be leviable from him by any process authorized for realizing an arrear of public Revenue, and it shall be so levied and credited to the defaulting proprietor of the estate sold, and if default of payment of purchase money shall have occurred more than once, the defaulting bidder shall be held jointly and severally responsible for such difference to the extent of the amount of their respective bids. Provided always, that every such re-sale shall be made after notification and in the forms prescribed by Section VIII. of this Act.

**XVII.** And it is hereby enacted, that whenever an estate shall have been sold as aforesaid, the Collector, or other Officer as aforesaid, shall affix a proclamation in the language of the District in his Cutcherry; and as soon thereafter as may be in the Cutcheries of the Moondiffs and of the Darogahs of Police, within whose jurisdiction or jurisdictions any part of such estate may be situated; and also at the Cutcherry of the Malgozar of such estate; or on some conspicuous place on such estate, forbidding the ryots and under-tenants of such estate to pay rent falling due subsequent to the date therein specified and up to the date of the subsequent auction hereinafter prescribed. Section XXI. of this Act, no pain of not being entitled to credit in their accounts with the purchaser for any sums paid within the period aforesaid.

**XVIII.** And it is hereby enacted, that it shall be lawful for the Commissioner of Revenue to receive an appeal against any sale made under this Act if preferred to him on or before the fifteenth day from the date of sale, reckoning as in Section XVI. or if preferred to the Collector for transmission to the Commissioner on or before the tenth day from the day of sale, and not after.



wise: and the Commissioner shall be competent in every case of appeal so preferred, to annul any sale of an estate made under this Act, which shall appear to him not to have been conducted according to the provisions of this Act, awarding at the same time to the purchaser a payment from the proprietor of any moderate compensation, for his loss, if the sale shall have been occasioned by neglect of the proprietor, such compensation not to exceed interest, at the current rate of Government Securities, on the amount of deposit or balance of purchase money during the period of its being retained in the Collector's Office, and the order of the Commissioner shall, in such cases, be final.

**XIX.** And it is hereby enacted, that the Commissioner of Revenue on the ground of hardship or injustice to the proprietor, may, and the passing of final orders in any case of appeal from a sale and to represent the case to the Sudder Board of Revenue, who, if they see cause, may recommend to the Local Government to annul the sale; and the Local Government in any such case, may annul the sale and cause the estate to be restored to the proprietor on such conditions as may appear equitable and proper.

**XX.** And it is hereby enacted, that all sales of which the purchase money has been paid up as prescribed in Section XVI. of this Act, and against which no appeal shall have been preferred, shall be final and conclusive at noon of the thirtieth day from the day of sale, reckoning the said day of sale, as the first of the said thirty days. And sales against which an appeal may have been preferred, and the appeal dismissed by the Commissioner, shall be final and conclusive from the date of such dismissal, if more than thirty days from the day of sale, or if less, then at noon of the thirtieth day as above provided.

**XXI.** And it is hereby enacted, that immediately upon a sale becoming final and conclusive, the Collector or other Officer as aforesaid, shall give to the purchaser a Certificate of title in the following form:

I certify that A. B. has purchased at Public Auction under Act XII. of 1841, Mohal C, and that his purchase has taken effect on and since the — day of — (being the date of sale.)

(Signed) D. E., Collector.

And the said certificate shall be deemed in any Court of Justice sufficient evidence of the title to the estate sold being vested in the person or persons named from the data specified: and the Collector shall also notify such transfer by written proclamation in his own Cutcherry, and in those of the Munsiff and Darogah of the jurisdictions within which any part of the estate sold shall be situated, and also at the Cutcherry of the Malgozdar of the estate or on some conspicuous place on the Estate; and shall apply the purchase money first to the liquidation of all arrears due upon the day of sale, or upon the day of the original sale, if the sale finally consummated be a resale; and secondly, to the liquidation of all outstanding demands debited to the Mohal in the Public accounts of the district, holding the residue, if any, in deposit on account of the late recorded proprietor or proprietors of the estate sold, to be paid to their receipt on demand in the manner following; to wit, in shares proportioned to their recorded interest in the estate sold, if such distinction of shares were recorded, or if not, then as an aggregate sum to the whole body of proprietors upon their joint receipt. Provided that, if prior to payment of any surplus that may remain of the purchase money after liquidation of all Government arrears and dues to the proprietor of the estate sold, or his representative, the same be claimed by creditors in satisfaction of debts due by him to them, or by any one creditor, such surplus shall not be payable to any such claimant, nor shall it be withheld from the proprietor by attachment, except under precept, and in satisfaction of Decrees of Court for such debts. And if the balance of purchase money have in any such case been paid away in liquidation of the proprietor's just debts by order of any Court, and a Decree shall afterwards pass for annulling the sale, the proprietor shall not be restored to possession until the amount so paid away be returned by him with interest.

**XXII.** And it is hereby enacted, that any suit brought to oust the certified purchaser as aforesaid, on the ground that the purchase was made on behalf of another person, not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

**XXIII.** And it is hereby enacted, that the annulment of a sale by a Commissioner shall be publicly notified by the Collector or other Officer as aforesaid in the same manner as the becoming final and conclusive of sales is required to be notified by Section XXI. of this Act, and the amount of deposit and balance of purchase money shall be forthwith returned to the purchaser, with interest thereon, at the highest rate of the current public securities, from the dates on which they were respectively paid in, to the date on which the refund is actually made.

**XXIV.** And it is hereby enacted, that the party certified as the proprietor of an estate by purchase at public sale for the recovery of arrears of Revenue shall be answerable for all instalments of the Revenue of Government which may fall due subsequently to the day of sale: provided, however, that in the case of re-sales the purchaser shall be answerable for all instalments of Revenue which fell due subsequently to the day of the first sale.

**XXV.** And it is hereby enacted, that no sale for arrears of Revenue or other demands realizable in the same manner, made after the taking effect of this Act, shall be set aside by a Court of Justice except upon the ground of its having been made contrary to the provisions of this Act: And except the contravention thereto shall have been declared and specified in an appeal made to the Commissioner, under Section XVIII. of this Act, and except the action in the Civil Court be instituted within one year, from the date of the sale becoming final and conclusive, as provided in Section XX. of this Act: And no person shall be entitled to contest the legality of a sale after having received any portion of the purchase money: Provided, however, and it is hereby enacted, that nothing in this Act contained shall be construed to debar any person considering himself wronged by any act or circumstances connected with a sale under this Act, from his remedy in a personal action for damages against the individual by whose act or omission he considers himself to have been wronged.

**XXVI.** And it is hereby enacted, that in the event of a sale being reversed by a final decree of a Court of Justice, the purchase money shall be refunded to the purchaser by Government, together with interest at the highest rate of the current public securities.

**XXVII.** And it is hereby enacted, that the purchaser of an estate sold under this Act, for the recovery of arrears due on account of the same, in the permanently settled districts of Bengal, Behar, Orissa and Benares, shall acquire the estate free from all encumbrances which may have been imposed upon it after the time of settlement, and shall be entitled after notice given under Section X. Regulation V. 1812, to enhance at discretion, (any thing in the existing Regulations to the contrary notwithstanding) the rents of all under-tenures in the said estate, and to eject all tenants thereof, with the following exceptions:

First. Tenures which were held as Ictemraee or Mocurrree at a fixed rent, more than 10 years before the permanent Settlement.

Secondly. Tenures existing at the time of the Decennial Settlement, which have not been, or may not be, proved to be liable to increase of assessment, on the grounds stated in Section Ld. Regulation VIII. of 1793.

Thirdly. Lands held by Khod Keshi or Kudgones Ryots having rights of occupancy at fixed rents or at rents assessable according to fixed rules under the Regulations in force.

Fourthly. Lands held under bank side leases, at fair rents, temporary or perpetual, for the erection of dwelling houses, or manufactories, or for mines, gardens, tanks, canals, places of worship, burying grounds, clearing of jungle, or like beneficial purposes, such lands continuing to be used for the purposes specified in the leases.

Fifthly. Farms granted in good faith at fair rents and for specified areas by a former proprietor, for terms not exceeding twenty years, under written leases, registered within a month from their date. Provided that a written notice, specifying full particulars of the position, rent and area of the lands, the terms of the lease and the names of the parties shall at the same time be given by the proprietor to the Collector in every case and the Collector shall be authorized to object to the same in the event of his

seeing reason to believe that the security of the Public Revenue will be materially affected thereby. The exception declared in this Clause shall not extend to leases objected to by the Collector, by a notification to be fixed up in his Office, with the sanction of the Commissioner, within three months of the date of the notice so made to him by the parties. Provided also, that a purchaser of an estate at a sale of arrears of Revenue shall be at liberty by suit in Court to set aside all such farms although the same be under written and duly registered leases and although such leases may have been given as aforesaid, if the same shall not have been granted in good faith at fair rents.

**XXVIII.** And it is hereby enacted, that the purchaser of an estate sold under this Act for the recovery of arrears due on account of the same in Districts other than those mentioned in Section XXVII. shall acquire the estate free from all encumbrances which may have been imposed upon it after the time of settlement, and shall be competent to avoid and annul all tenures which may have originated with the defaulter or his predecessors, being representatives or assignees of the original engager, as well as all agreements with ryots or the like settled or credited by the first engager or his representatives, subsequently to the last Settlement, as well as all tenures which the first engager may, under the conditions of his settlement, have been competent to set aside, alter, or renew, saving always and except bona fide leases of ground for the erection of dwelling houses, or buildings, or for offices thereunto belonging, or for gardens, tanks, canals, water-courses, or the like purposes, which leases or engagements shall, so long as the land is duly appropriated to such purposes, and the stipulated rent paid, continue in force and effect. Provided that nothing in this Act contained shall be construed to entitle any purchaser of land at a public sale to demand a higher rate of rent from any persons whose tenure or agreement may be annulled as aforesaid than was demandable by the former Malgoosar, except in cases in which such persons may have held their lands under engagements, stipulating for a lower rate of rent than would have been justly demandable for the land, in consequence of abatements having been granted by the former Malgoosars from the old established rates by special favour, or for a consideration, or the like, or in cases in which it may be proved that according to the custom of the Pergunnah, Moutah, or other local division such persons are liable to be called upon for any new assessment, or other demand not interdicted by the Regulations of Government.

**XXIX.** And it is hereby enacted, that it shall be competent to the Local Government when it shall seem proper at any time before a sale for arrear shall have been actually made, to direct it to be made, subject to the leases, assignments, or other incumbrances, with which a proprietor in possession, his ancestors, or predecessors may have burthened his assessed Estate, or to such of them as shall appear proper. In all such cases, notice of the condition imposed by the Local Government shall be given by the Collector at the time of calling up the lot for sale, and such further notification shall be made by the Local Government in direct: provided, however, that in case the sale so restricted shall not realize an amount equal to the arrear due at the time of sale, or there shall appear ground to apprehend, that by reason of this restriction the future realization of the Revenue will be endangered, it shall be competent to the Local Government at any time before such restricted sale shall have become final and conclusive in the manner laid down in Section XX of this Act, to direct the sale to be cancelled, and a new sale of the estate to be made without other restrictions than those contained in the exceptions specified in Clauses 1 to 5 of Sec. XXVII. of this Act. If after the sale has

become final and conclusive, objection should again arise to bring to sale for arrears an estate purchased with a restriction of the above description, it shall at all times be competent to the Local Government to direct that the *Mahal* shall be sold without any other restriction than those contained in the exceptions specified in Clauses 1 to 5 of Sec. XXVII. of this Act, or with the reservation before reserved. In the former event, should the purchase money realized by the unrestricted sale exceed to a large amount the sum obtained in the restricted sale, it shall further be competent to the Local Government to direct a portion, or the whole of the excess to be paid to persons whose interests having been reserved at the first, shall become void at the second sale.

**XXX.** And it is hereby enacted, that excepting copartners of estates under *Rutwarrah* who have saved their shares from sale under Sections 33 and 34, Regulation XIX. 1814, any recorded or unrecorded proprietor or copartner who may purchase in his own name or in the name of another the estate of which he is proprietor or copartner; or who by re-purchase or otherwise, may recover possession of the said estate after it has been sold for arrears under this Act; and likewise any purchaser of an estate sold for other arrears or demands than those accruing upon itself, shall by such purchase acquire the estate subject to all its encumbrances existing at the time of sale and shall not acquire any rights in respect to ryots and under-tenants which were not possessed by the previous proprietor at the time of the sale of the said estate.

**XXXI.** And it is hereby enacted, that arrears of rent which the date of sale may be due to the defaulter from his tenants, shall be recoverable by him after a sale by any process except distraint which might have been used by him for that purpose before the sale was made.

**XXXII.** And it is hereby enacted, that any Collector or Officer exercising the powers of Collector, in respect to Sales, shall be competent to punish any contempt committed in his presence in open *Cutcherry* or Office for the time being, by fine, to an extent not exceeding *Co's* Rs. 200, commutable, if not paid, to imprisonment in the civil jail for a period not exceeding one month; and the Magistrate to whom such an offender may be sent by a Collector as aforesaid, shall carry his sentence into effect. Provided that an appeal from any order passed under this Section shall lie to the Revenue Commissioner, whose decision shall be final.

**XXXIII.** And it is hereby enacted, that a default to make good a bid by making the deposit required by Section XV. of this Act shall be held to be a contempt.

**XXXIV.** And it is hereby enacted, that the operation of this Act shall be confined to the Provinces of Bengal, Behar, Orissa and Benares, now subject to the General Regulations and to the Ceded and Conquered Provinces similarly subject to the General Regulations under the Government of the Presidencies of Fort William in Bengal, and nothing in this Act contained shall affect land in the Town of Calcutta or the Settlements of Singapore, Penang or Malacca.

**XXXV.** And it is hereby enacted, that this Act shall have effect on and after the first day of

January 1842.

T. H. MADDOCK,

Secy. to the Govt. of India.



# The Calcutta Gazette.

Published by Authority.

It is requested that Government Notifications for the Calcutta Gazette, of any length, may be sent to the Press before Noon of Friday, and those of a few lines only before 5 P. M. of that day.

SATURDAY, JULY 24, 1841.

PORT WILLIAM,  
GENERAL DEPARTMENT, 28th June, 1841.

All Public Officers of Government sending Advertisements to the Calcutta Gazette for Publication, are hereby directed to make them as short as possible, and to specify always how many times the Advertisement shall be repeated.

By Order of the Hon'ble the Vice President in Council,

H. T. PRINSEP, Secy. to the Govt.

PORT WILLIAM,  
FINANCIAL DEPARTMENT,  
The 19th November, 1838.

The following revised Terms and Conditions for making Advances in India and China upon Goods and Merchandise consigned to England are published for general information, also the following paragraphs 5 and 6 of the despatch of the Hon'ble Court of Directors, dated 17th August, prescribing the same for future observance:

## TERMS AND CONDITIONS FOR

### MAKING ADVANCES IN INDIA AND CHINA, 1838

The Goods and Merchandise of Individuals intended for Consignment to England, re-payable to the Court of Directors of the East India Company.

1st.—The parties to whom Advances may be made shall agree that the respective Consignments be delivered into such Warehouses as the Court of Directors may approve: and that they be subject to the control of the Court of Directors until the Res of the Company upon the Consignment shall have been settled.

2d.—Upon each Consignment, the value which is to be ascertained by the Officers of the Indian Government, or Authorized Agents of the East India Company, an Advance not exceeding three-fifths of such ascertained value will be made.

The rate of Exchange to be determined from time to time at the place where the Advance is made under the Court's orders.

s. d.

For Company's Expenses for Ad- vances made at.....	Bombay.
Ditto.....	Madras.
Ditto.....	Bombay.
For Spanish Dollar Ditto.....	China.

4th.—The Parties will be required to place in the hands of the Board of Commissioners, Salt and Opium, Bills of Lading of the Consignment and Policies of Insurance effected thereon, both in triplicate. The Bills of Lading must be drawn

deliverable to the East India Company, or endorsed to the order of the East India Company. The Policies of Insurance must be effected in the name and on behalf of the East India Company, as the Parties interested, or endorsed to their order; but persons desirous of effecting the necessary Insurance in this Country, and of depositing the Policies in the Company's Treasury, will be allowed to do so.

5th.—In case of default being made either in acceptance, or payment of the Bills, the Court of Directors to be authorized, in such manner and at such times as they may see fit to sell the Goods, for the purpose of re-paying the Company the amount of the Advances made thereon, including Freight and any other charges or expenses which the Company may have incurred on account of the Consignment, together with interest, should any have accrued; the Company, on the other hand, allowing discount, where any part of the proceeds shall be realized before the Bills fall due, and the settlement of either surplus or deficiency shall be made with the Consignor; and if in India or China by the Government or Agents from whom he received the Advances, at the rate of exchange which the Company may at the time be drawing Bills upon such Government or Agents.

6th.—An Agent in England shall be appointed for each Consignment, to whom the Court of Directors shall be empowered to make over the Goods, subject to all the conditions agreed upon with the Company, on payment of the Bills; and with whom they shall be authorized to transact generally all business relating to such Goods. The Consignor shall be at liberty to make provision, in case of the Party upon whom the Bill is drawn, (being also the Agent) having failed to accept the Bill, for the substitution of another Agent.

7th.—After the arrival of the Goods in England and when they shall have been placed in such deposit as may have been agreed upon, the Agent may be put into possession of them before the Bills become due, upon the amount of such Bills (less discount) being paid, together with the Freight and any other charges and expenses which the Company have paid or may be subject to on account of the Goods.

8th.—The rate of Discount to be allowed by the Company shall be the same as that charged by the Bank of England; and in cases where interest shall have accrued, such interest shall be computed at the rate or rates per cent. at which the Company have allowed Discount during the period for which such interest is chargeable.

9th.—Parties or their Agents will be required to insure the Goods from fire, and deposit the Policies with the East India Company; such Insurance to take effect from the date of the termination of the Sea risk. Should however the Parties or their Agents fail to effect such Insurance, the East India Company shall be at liberty to insure the Goods, the expense of which shall be reimbursed to them previously to their making over the Goods to these Parties or their Agents.

10th.—Parties receiving Advances, to address in each instance a Letter in quadruplicate to the Court of Directors, according to a form which will be furnished by the Officers of Government (or authorized Agents of the East India Company), signifying their assent to all the foregoing conditions, but more particularly for the purpose of expressly authorizing the sale of the Goods by the Company (without either notice to or concurrence of any person whatsoever) at any period after default shall be made either in acceptance or payments of the Bills; also authorizing, in such cases, the re-paying to the Company the Advances made, either principal or interest, together with any other charges or expenses which the Company may have incurred in respect of the Goods, and appointing the Agent in England for each transaction.

*Extract of a Despatch from the Hon'ble the Court of Directors in the Financial Department, dated the 17th August, No. 13 of 1838.*

5.—In future we desire that you will restrict your Advances to the great staple Articles of Indian Produce, Cotton, Silk, Sugar, Coffee, Indigo, Salt Peter and Piece Goods—and further that no Advance be made upon any Consignment the ascertained value of which shall be less than 5,000 Rupees.

6.—Several Packages of Tobacco upon which you have made Advances have been seized by the Officers of Customs, in consequence of their having been imported in illegal Packages.—Extracts from the Acts 3 and 4, Will. 4, Cap. 52, Sec. 58, and 6th and 7th Will. 4, Cap. 60, Sec. 4, relating to the Article of Tobacco, are transmitted in the Packet.

Published by Order of the Hon'ble the President of the Council of India in Council,

H. T. PRINSEP,  
Secy. to the Govt. of India.

FORT WILLIAM,  
FINANCIAL DEPARTMENT,  
THE 2d JUNE, 1841.

Notice is hereby given, that the Board of Customs, Salt and Opium have been authorized to make Advances of Cash to Merchants on Bills of Exchange, secured by consignment of Goods at the rate of 2s. 1d. per Company's Rupee, until further Orders. In all other respects the Terms and Conditions of these Advances will be the same as advertised under dates the 2d May 1838 and 27th November 1839.

Published by order of the Right Hon'ble the Governor of Bengal,

G. A. BUSHBY,  
Secy. to the Govt. of Bengal.

FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,  
THE 19TH JULY, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 19th of July 1841.

ACT No. — OF 1841.

*An Act for extending in cases governed by English Law certain provisions of the Statute 34 and 4th William IV Ch. XLII. entitled "An Act for the further amendment of the Law and the better advancement of Justice."*

I. Whereas there is no remedy provided in cases governed by English Law for injuries to the Real Estate of any person deceased, committed in his life time, nor for certain wrongs done by a person deceased in his life time to another in respect of his property, real or personal; for remedy thereof it is hereby enacted, that an Action of Trespass or Trespass on the case, as the case may be, may be maintained by the Executors or Administrators of any person deceased for any injury to the Real Estate of such person, committed in his life time, for which an action might have been maintained by such person, so as such injury shall have been committed within six calendar months before the death of such deceased person, and provided such action shall be brought within one year after the death of such person; and the damages when recovered, shall be part of the personal Estate of such person; and further that an Action of Trespass or Trespass on the case, as the case may be, may be maintained against the Executors or Administrators of any person deceased for any wrong committed by him in his life time to another in respect of his property, real or personal, to as such injury shall

have been committed within six calendar months before such person's death, and so as such action shall be brought within six calendar months after such Executors or Administrators shall have taken upon themselves the Administration of the Estate and Effects of such person; and the damages to be recovered in such action shall be payable in like order of Administration as the simple contract debts of such person.

II. And it is hereby enacted, that no wager of Law shall be hereafter allowed.

III. And it is hereby enacted, that an action of debt on simple contract shall be maintainable in any of Her Majesty's Supreme Courts against an Executor or Administrator.

IV. And it is hereby enacted, that it shall be lawful for the Defendant in all personal actions (except actions for Assault and Battery, False Imprisonment, Libel, Slander, Malicious Arrest or Prosecution, Criminal Conversations or Debauching of the Plaintiff's Daughter or Servant,) by leave of any of Her Majesty's Supreme Courts where such action is pending, or a Judge of any of the said Courts, to pay into Court a sum of money by way of Compensation or Amends, in such manner and under such regulations as to the payment of costs and the form of pleading as the said Judges or such Courts respectively shall by any rules or orders by them to be from time to time made, order and direct.

V. And it is hereby enacted, that it shall be lawful for the parties in any action or information, after issue joined, by consent and by order of any of the Judges of the said Courts, to state the facts of the case, in the form of a special case, for the opinion of the Court, and to agree that a judgment shall be entered for the Plaintiff or Defendant, by confession or of nolle prosequi, immediately after the decision of the case, or otherwise as the Court may think fit; and judgment shall be entered accordingly.

VI. And it is hereby enacted, that the name of every witness objected to as incompetent on the ground that the judgment in the Action would be inadmissible in evidence for or against him shall at the trial be indorsed on the Record or Document on which the trial shall be had, together with the name of the party on whose behalf he was examined by some Officer of the Court, at the request of either party, and shall be afterwards entered on the record of the judgment; and such indorsement or entry shall be sufficient evidence that such witness was examined in any subsequent proceeding in which the judgment shall be offered in evidence.

VII. And it is hereby enacted, that every such Court as aforesaid on the trial of any issue, or on any inquiry of damages, may, if they shall think fit, give damages in the nature of interest, over and above the value of the goods at the time of the conversion or seizure, in all Actions of Trover or Trespass de bonis as portatis, and over and above the money recoverable in all actions on Policies of Assurance made after the passing of this Act.

VIII. And it is hereby enacted, in cases which would be governed by English Law, that it shall be lawful for the Executors or Administrators of any Lessor or Landlord to distrain upon the Lands demised for any term, or will, for the arrearages of rent due to such Lessor or Landlord in his life time, in like manner as such Lessor or Landlord might have done in his life time.

IX. And it is hereby enacted, that such arrearages may be distrained after the end or determination of such Term or Lease at will, in the same manner as if such Term or Lease had not been ended or determined; provided that such distress be made within the space of six calendar months after the determination of such Term or Lease, and during the continuance of the possession of the Tenant from whom such arrears become due; provided also, that all and every the powers and provisions of Law relating to distress for rent shall be applicable to the distresses so made as aforesaid.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after 15th day of October next.

T. H. MADDOCK,  
Secy. to the Govt. of India.



**FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,**

The 19th JULY, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 19th of July 1841.

Act No. — of 1841.

*An Act for appropriating the unclaimed Dividends on Insolvent Estates.*

I. Whereas pursuant to the Orders of the Court for the Relief of Insolvent Debtors, divers sums of unclaimed Dividends on Insolvent Estates have from time to time been paid by the Assignees of such Insolvent Estates into the hands of the Accountant General and Sub-Treasurer of the East India Company with the privity of the Accountant General of the said Insolvent Court, to the credit of the matter of such Insolvent Estates respectively;—and whereas it is expedient that in the event of the claim being established to any demand whereby any Dividends may accrue within a reasonable time, such Dividends should be divided among such of the Creditors of such Insolvent Estates as shall have established their claims against such Estates respectively.

It is therefore enacted, that it shall be lawful for the said Court of Insolvent Debtors in the event of no claim being established whereby the right to any Dividend has accrued or may thereafter accrue within six years after any Dividend shall have been so paid over, as aforesaid, to order the same to be repaid to such Assignees, to be by them divided among such of the Creditors of such Insolvent Estates as shall have established their claims against such Estates respectively. Provided that this Act shall not affect the right of any party to any future Dividends which may be declared in such Insolvent Estates respectively in the event of any such claim being afterwards established.

II. And it is hereby enacted, that no Dividend shall at any time be divided under this Act among such of the Creditors of any Insolvent Estate as shall have established their claims against such Estate, unless a Statement of unliquidated claims be previously published in manner following: One year at least before making any such division as aforesaid a Statement shall be published three times in the English language, and also in one or more native languages in the Official Gazettes of the respective Presidencies, which Statement shall contain the names of all parties in respect of whose claims Dividends are reserved, together with the amount of such claims respectively, and shall specify whether any former Dividend or Dividends have been received in respect thereof, and whether any proof shall have at any time been made of the debt whereby any Dividend may have accrued. Provided always that this Act shall not authorize the division of any Dividend except where no person shall at any time have substantiated any claim to the debt in respect of which such Dividend may have become due.

III. And be it enacted, that this Act shall not take effect until the first day of January 1843.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first Meeting of the Legislative Council of India after the 19th day of October next.

T. H. MADDOCK,  
Secy. to the Govt. of India.

**FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,**

The 19th JULY, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 19th July 1841.

Act No. — of 1841.

*An Act for amending the Rules of Special Appeals.*

It is hereby enacted, that Clauses 1, 2 and 4, Section 2, Regulation XXVI 1816—Section 7, Regulation XIX 1817—Sections 2, 3, 4, 5 and 8, Regulation IX 1819—Clause 1, Section 28, Regulation V 1821—and Section 9 Act XXV of 1837 of the Bengal Code, be repealed.

And it is hereby enacted, that from and after the 1st day of January 1842 a second or Special Appeal shall lie to the Courts of Sudder Dewanny Adawlut at Calcutta, and Allahabad, respectively, from all decisions passed in regular Appeals, in any Civil Court in the manner hereinafter specified.

III. And it is hereby enacted, that except in cases in which the petition relates to a decision passed in regular Appeal by a Zillah or City Judge, every application for the admission of a special or second Appeal shall be heard within the period limited for the admission of a regular Appeal, by the Judge of the Zillah or City within which the regular Appeal has been decided; and every application for the admission of a special or second Appeal against a decision passed in regular Appeal by a Zillah or City Judge, shall in like manner be heard by a single Judge of the Court of Sudder Dewanny Adawlut.

IV. And it is hereby enacted, that no special or second Appeal shall be admitted in any case, unless the Judgment Appealed against, be inconsistent with some established judicial precedent, or involve some question of law, usage, or practice, upon which there may exist reasonable doubts.

V. And it is hereby enacted, that the Judge by whom such application for the admission of a second or special Appeal may be heard, shall call before him the Special Appellant or his Vakeel or Agent, and shall, at his discretion, call for and peruse any document forming part of the record of the cause which he may deem proper, and shall by such other enquiries as he may consider necessary determine the point or points on which the Appeal is liable under this Act, to be specially tried by the Courts of Sudder Dewanny Adawlut; and shall reduce the said point or points to writing in the form of a certificate and shall transmit the same in the Vernacular language, together with an English translation thereof, attested by his official seal and signature, with the original petition for the admission of the second or special Appeal, and copies of the decrees passed in the case to the Register of the Courts of Sudder Dewanny Adawlut, to be tried by those Courts in due course; and it shall be lawful for the Judge to reject any such petition at his discretion, and his order in rejecting a petition for a special or second Appeal shall be final.

VI. And it is hereby enacted, that the Courts of Sudder Dewanny Adawlut shall in every case transmitted to or admitted by them, try and determine the point or points certified as above enacted, and no other point or part of the case whatever.

VII. And it is hereby enacted, that it shall be competent to the Courts of Sudder Dewanny Adawlut in any case in which the special ground of Appeal may appear to have been incorrectly or incompletely certified by a Zillah or City Judge, to return the certificate for amendment; or in cases in which it may appear to have been improperly transmitted to annul the certificate altogether, without requiring the attendance of the Special Appellant or his Vakeel or Agent.

VIII. And it is hereby enacted, that nothing contained in this Act shall be construed to interfere with the authority vested in a single Judge of the Court of Sudder Dewanny Adawlut, or in a Zillah or City Judge under the provisions of Regulation IX. 1831 and Act VII of 1838 of issuing any injunction to the Lower Courts, for the revision of any case on the grounds, and in the manner laid down by that Regulation and Act.

IX. And it is hereby enacted, that nothing contained in this Act shall affect the trial of second or special Appeals which shall have been admitted and be pending in Appeal at the time of the passing of this Act, and that all such second or special Appeals shall be tried and decided in the same manner as if this Act had not passed.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the 19th day of September next.

T. H. MADDOCK,  
Secy. to the Govt. of India.

**FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,**

The 12th JULY, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 12th of July, 1841.

Act No. — of 1841.

*An Act for amending the Law concerning imprisonment for contempt of decrees or orders made by Courts of Equity.*

I. It is hereby enacted, that when any person shall have been directed by any Decree or Order in Equity

of Her Majesty's Supreme Courts to execute any deed or instrument, or make a surrender or transfer, or to levy a fine, and shall have refused or neglected to execute, make or transfer or levy the same, and shall have been committed to prison under process for such contempt or being confined in prison for any other cause shall have been charged with or detained under process for such contempt and shall remain in such prison, the Court may upon motion or petition and upon affidavit that such person has after the expiration of two calendar months from the time of his being committed under or charged with or detained under such process again refused to execute such deed or instrument, or to make such surrender or transfer or levy such fine, order or appoint, the Master or Registrar of the said Courts to execute such deed or other instrument, or to make such surrender or transfer for and in the name of such person, and to levy such fine in his name and to do all acts necessary to give validity and operation to such fine, and to lead or declare the uses thereof, and the execution of the said deed or other instrument, and the surrender or transfer made by the said Master or Registrar, and the fine levied by him, shall in all respects have the same force and validity as if the same had been executed, or made or levied by the party himself, and within ten days after the execution or making of any such deed or other instrument, or surrender or transfer, or levying such fine, notice thereof shall be given by the adverse Solicitor to the party in whose name the same is executed or made, and such party as soon as the deed or other instrument or surrender, transfer or fine, shall be executed, made or levied, shall be considered as having cleared his contempt, except as far as regards the payment of the costs of the contempt, and shall be entitled to be discharged therefrom under any of the provisions of this Act applicable to his case, and the Court shall make such order as shall be just touching the payment of the costs of or attending any such deed, surrender, instrument, transfer or fine.

II. And it is hereby enacted, that where a person shall be committed for a contempt in not delivering to any person or persons, or depositing in Court or elsewhere, as by any order in Equity of Her Majesty's Supreme Courts may be directed, books, papers or any other articles or things, the Sheriff under any writ or sequestration shall have the same power, to seize and take such books, papers, writings or other articles, or things being in the custody or power of the person against whom the sequestration issues, as they would have over his own property, and thereupon such articles or things so seized and taken shall be dealt with by the Court as shall be just, and after such seizure it shall be lawful for the Court upon the application of the prisoner, or any other person in the cause or matter to make such order for the discharge of the prisoner upon such terms as to the Court shall seem proper.

III. And it is hereby enacted, that the discharge of any prisoner adjudicated upon under the authority of an Act passed in the 9th G. 4 C. 73, intituled "an Act to provide for the Relief of Insolvent Debtors in the East Indies until the 1st day of March 1833," last continued by an Act passed in the 3 and 4 Vics. C. 66, shall and may extend to all process in Equity issuing from Her Majesty's Supreme Courts for any contempt of such Court for non-payment of money, or of costs, charges or expenses in any such Court, and that in such case the said discharge shall be deemed to extend to all costs which such prisoner shall be liable to pay in consequence or by reason of such contempt, or on purging the same and every discharge so adjudicated as aforesaid as to any debt or damages of any creditor of such prisoner shall be deemed to extend, also to all costs incurred by such creditor, before the filing of such prisoner's schedule, in any action or suit brought by such creditor against such prisoner for the purpose of the recovery of the same, and that persons as to whose demands for any such costs, money, or expenses, any such person shall be so adjudged to be discharged, shall be deemed and taken to be creditors of such prisoner in respect thereof, and entitled to the benefits of all the provisions made for creditors by the said last mentioned Act, subject, nevertheless, to such ascertaining of the amount of the said demands as may be had by taxation, or otherwise, and to such examination thereof as is in the said last mentioned Act, provided in respect of all claims to a dividend of such Insolvent's Estate and Effects.

IV. And be it further enacted, that in all cases of contempt, where any person or persons are, or be, or

shall, at any time hereafter be in prison under or by reason of any commitment or attachment in Equity directed by or issued out of Her Majesty's Supreme Courts, such Court shall (upon the application of the person or persons against whom such commitment or attachment hath been directed or issued,) have the power if it shall so think fit, to discharge such person or persons from their, his, or her contempt, except as to the costs thereof, for which costs they, he, or she shall remain in custody, and such costs shall be deemed within the provisions of the last preceding Section of this Act—and they, he, or she shall be discharged therefrom, and from the process of contempt in like manner as in the last preceding Section of this Act provided for in cases of process of contempt for non-payment of money or costs. Provided that this Act shall not weaken any of the other powers by this Act given, and that nothing herein contained shall alter or affect the operation of the said Acts for the relief of Insolvent Debtors.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be re-considered at the first Meeting of the Legislative Council of India after the 12th day of October next.

T. H. MADDOCK,

*Secy. to the Govt. of India,*

No. 1891.

FORT WILLIAM,

POLITICAL DEPARTMENT, 10th JULY, 1841.

Captain R. Cannan, K. S. F., Junior Assistant to the Commissioner in Mysore, has obtained one month's leave of absence, to visit Madras, on private affairs, under Section XI. of the Absence Rules, to have effect from the date of his quitting Mysore.

T. H. MADDOCK,

*Secy. to the Govt. of India,*

No. 1892.

FORT WILLIAM,

POLITICAL DEPARTMENT, 19th JULY, 1841.

Mr Samuel M. Griffith, Civil Surgeon and Post Master at Futtchpore, has been appointed to the Medical charge of the Station of Darjeeling, in succession to the late Dr. Morton.

T. H. MADDOCK,

*Secy. to the Govt. of India,*

No. 147.

FORT WILLIAM,

GENERAL DEPARTMENT,

THE 22d JULY, 1841.

Mr. J. J. Harvey has been appointed to officiate as Post Master General until further orders.

G. A. BUSHBY,

*Secy. to the Govt. of India,*

FORT WILLIAM,

GENERAL DEPARTMENT,

THE 15th JULY, 1841.

Notice is hereby given, that the Salaries and Allowances of the Civil and Marine Departments for July, Instant, will be discharged by the Sub-Treasurer and Marine Paymaster respectively, on or after Saturday, the 14th Proximo.

Published by Order of the Right Hon'ble the Governor General in Council,

G. A. BUSHBY,

*Secy. to the Govt. of India,*

FORT WILLIAM,

MILITARY DEPARTMENT, 10th JULY, 1841.

Notice is hereby given, that the Pay, Batta, and other Allowances for July 1841, of the Troops at the Presidency and at the other Stations of the Army, will be issued on or after Saturday, the 7th Proximo.

By Order of the Right Hon'ble the Governor General of India in Council,

J. STUART, Esq.

*Secy. to the Govt. of India, Mil. Dept.*

(No. 1155.)

**ORDERS BY THE RIGHT HONORABLE THE GOVERNOR OF BENGAL.**

**JUDICIAL AND REVENUE DEPARTMENT.**

The following Officers have obtained leave of absence from their Stations:

**THE 18TH JULY, 1841.**

Mr. G. T. Shakespear, Magistrate of Midnapore and Hidgelee, for three months, under Section XI. of Rules of 29th January, 1840, making over charge of Office to Mr. J. Ward.

**THE 20TH JULY, 1841.**

Mr. D. C. Smyth, a Judge of the Sadder Dwanney and Nizamut Adawlat, for one month, on Medical Certificate.

The Right Honorable the Governor of Bengal has been pleased to make the following Appointments:

Mr. J. Dunbar to be Civil and Sessions Judge of Midnapore, vice Mr. H. S. Oldfield, but will continue to officiate, until further orders, as Commissioner of the 18th or Jessore Division.

Mr. Jas. Shaw to be Civil and Sessions Judge of East Burdwan, vice Mr. J. Dunbar.

**FRED. JAS. HALLIDAY,**

*Secy. to the Govt. of Bengal.*

**GENERAL ORDERS BY THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.**

**FORT WILLIAM, 21st July, 1841.**

No. 175 of 1841.—The following Lists of Rank of Cadets of Cavalry and Infantry, and of Assistant Surgeons, appointed for the Bengal Presidency, are published for general information:

No. 3 of 1841.

**LIST OF RANK OF CADETS FOR THE BENGAL CAVALRY AND INFANTRY.**

*For the Cavalry.*

To rank from the date of the sailing from Gravesend of the Ship by which he proceeded, viz.

William Adam Anstruther { Crest,  
Thomson, ..... { Sailed 21st May, 1841.

*For the Infantry.*

To rank from the date of the sailing from Gravesend of the Ship by which he proceeded, viz.

Frederick Henry Smith, ..... { Princess Royal,  
2d April.

To rank from the date of his departure from England by the overland route, viz.

Edwin Shuckburgh Dennis, { Great Liverpool  
Steamer, from Fal-  
mouth 2d April.

To rank from the date of the sailing from Liverpool of the Ship by which he proceeded, viz.

Campbell Clays Grant Ross, { Patriot Queen,  
4th April.

To rank from the date of the sailing from Gravesend of the Ships by which they proceeded, and in the following order, viz.

Henley Thomas Bartlett, ..... { Justice,  
21st April.

Joseph Fletcher Richardson, { Ditto ditto.

Edward Otley Wollaston, ..... { Ditto ditto.

John William Barwell Bis- { Maria,  
grave, ..... { 24th April.

Charles Basil Gibbons Bacon, { Northumberland,  
24th May.

(Sd.) **PHILIP MELVILL,**

*Secy. Milg. Depart.*

East India House, }  
2d June, 1841.

(A true Copy.)

(Sd.) **JAS. C. MELVILL, Secy.**

East India House, }  
London, 5th June, 1841.

No. 2 of 1841.

**LIST OF RANK OF ASSISTANT SURGEONS FOR BENGAL.**

To rank from the date of the sailing from Gravesend of the Ships by which they proceeded, and in the following order.

Henry Nicholas Nugent, ..... { Justice,  
Sailed 21st April.  
Edward Brouncker Thring, ..... { Maria,  
24th April.

(Sd.) **PHILIP MELVILL,**

*Secy. Milg. Dept.*

East India House, }  
2d June, 1841.

(A true Copy.)

(Sd.) **JAS. C. MELVILL, Secy.**

East India House, }  
London, 5th June, 1841.

**J. STUART, Lt.-Col.**

*Secy. to the Govt. India, Milg. Dept.*

**FORT WILLIAM, 21st July, 1841.**

No. 176 of 1841.—The undermentioned Gentlemen are admitted to the Service, in conformity with their appointment by the Hon'ble the Court of Directors, as Cadets of Infantry, and an Assistant Surgeon, on this Establishment:—The Cadets are promoted to the rank of Ensign from the date assigned to them in General Orders, No. 128, of the 26th May last:

*Infantry.* *Date of arrival at Fort William.*

Mr. Benjamin Henderson, ..... 14th July, 1841.  
" John James Hulme, ..... 14th " "  
" William Clarke Green, ... 14th " "  
" John Claudius Hardisty, ... 14th " "  
" John Spence, ..... 14th " "

*Medical Department.*

Mr. John Sutherland, ..... 14th July, 1841.

Major Edward Herring, of the 57th Regiment N. I., having been declared incapable of performing the active duties of his profession, is, at his own request, transferred to the Invalid Establishment.

Captain and Brevet Major John Thomas Croft, of the 34th Regiment N. I., is permitted to retire from the Service of the East India Company, on the Pension of a Major, from the 1st proximo, in conformity with existing Regulations.

Surgeon Benjamin Bell, of the Medical Department, is permitted to retire from the Service of the East India Company, on the Pension of his rank, from the 1st proximo.

His Lordship in Council is pleased to make the following Promotion:

*Ordnance Commissariat Department.*

Conductor Thomas O'Brien to be Deputy Assistant Commissary, from the 19th June 1841, vice Hunt deceased.

In consideration of the long and faithful services of Subadar Major Sewraje Sing, Sirdar Bahadoor, of the 68th Regiment N. I., His Lordship in Council is pleased to sanction the continuance to that Native Officer of the Brevet Pay of his rank as Subadar Major, from the date of his transfer to the Invalid Establishment.

**J. STUART, Lt.-Col.,**

*Secy. to the Govt. of India, Milg. Dept.*

**FORT WILLIAM, 21st July, 1841.**

No. 178 of 1841.—The undermentioned Officers of the Infantry, are promoted to the rank of Captain, by Brevet, from the dates expressed opposite to their names:

2d Regt. N. I., Lieut. Chas. Ralls, ... 17th July, 1841.  
64th do. " " Chas. Henry { 21st ditto "  
Bart, ..... {  
1st Regt. Lt. Col., Lieut. Geo. { 21st ditto "  
Grant Gerrard, ..... {

Mr. Edward Goodove, M. B., is admitted to the Service, in conformity with his appointment by the Hon'ble the Court of Directors, as an Assistant Surgeon on this Establishment. Date of arrival at Fort William, 19th July, 1841.

**J. STUART, Lt.-Col.**

*Secy. to the Govt. of India, Milg. Dept.*

FORT WILLIAM, 21st July, 1841.

No. 177 of 1841.—The Right Hon'ble the Governor General of India in Council is pleased to direct that the following Statement of Deposits made in the General Treasury from the 1st July to the 31st December 1840, inclusive, on account of Estates of deceased European Commissioned, Non-Commissioned, and Warrant Officers and Soldiers of the East India Company's Service, be published for general information; it being at the same time notified, that the claims to the Estates in question, which shall not be preferred to the Sub-Treasurer, by Executors or Administrators, before the conclusion of the next six months cannot be attended to in this country, as the Money after that period, will be remitted to, and be payable by, the Honorable the Court of Directors only:

Statement of Deposits made at the General Treasury from the 1st July to the 31st December 1840, inclusive, on account of the Estates of deceased European Commissioned, Non-Commissioned and Warrant Officers and Soldiers in the Service of the East India Company, and remaining undclaimed.

Dates of Deposits.	From whom received.	Names of Deceased Parties.	Rank and Corps.	Amount of Estates in	Co's Rs. A. P.	Paid Public Debt and or to the Government of the East India Co.	T. when Paid.	Under what authority.
1840.								
July 14th		Donald Ingle, .....	Private, 1st Euro. Regt.	148 4 9				
17th		Henry Faithfull, .....	Major-Gl. of the Artillery	4384 12 9				
Sept. 24		Alfred Jackson, .....	Captain, 30th Regt. N. I.	714 2 4				
7th	Lieut. Col. J. Stuart, Secretary to the Govt. of India, Mil. Dept.	P. G. Mackenzie, .....	Lieut. of the Artillery	474 9 2				
18th		John James Galloway, .....	Cornet, 2d Light Cavalry	2718 4 0				
23d		William McKelvey, .....	Comdr. of the Indian Dept.	228 10 1				
24th		Richard Andrews, .....	Surgeon of the Army	37 1 11				
25th		Patrick Meik, .....	Charging Agency 1st Division	7191 12 1				
"		Joseph Belcher, .....	Captain, 31st Regt. N. I.	73 13 2				
"		John Thomas, .....	Serjt., 1st Troop 3d Bde. Arty.	39 13 7				
"		Patrick Dore, .....	Boatman, 2d Troop 2d Bde. Arty.	28 3 1				
"		Michael White, .....	Ditto ditto ditto	12 15 11				
"		James Ward, .....	Ditto 3d Co. 3d Bn. do	62 14 1				
"		Peter Murphy, .....	Ditto 4th Co. 2d Bn. do	38 9 0				
"		Thomas Smith, .....	Ditto 2d Tr. 2d Bde. do	19 15 0				
"		George Jay, .....	Gunner 3d Co. 3d Bn. do	4 14 0				
"		David Gann, .....	Ditto 2d Tr. 3d Bde. do	13 6 0				
"		James Ridgway, .....	Ditto 3d Co. 3d Bn. do	74 8 7				
"		Michael Kelly, .....	Ditto do do do	6 4 8				
"		Timothy Sheen, .....	Ditto 2d Tr. 1st Bde. do	8 0 0				
"		Andrew Connell, .....	Ditto 4th Co. 2d Bn. do	4 6 3				
"		John Cowle, .....	Ditto 3d Tr. 2d Bde. do	10 14 0				
"		John Abern, .....	Ditto do do do	10 4 3				
"		William Colgate, .....	Ditto do do do	15 11 1				
"		Patrick Gorman, .....	Ditto 3d Co. 3d Bn. do	9 1 0				
"		Patrick Hart, .....	Ditto 2d Co. do do	8 11 3				
"		William Lloyd, .....	Ditto do 4th Bn. do	12 5 8				
"		Thomas Allen, .....	Ditto 1st Tr. 3d Bde. do	1 12 0				
"		John Williams, .....	Ditto 4th Co. 1st Bn. do	15 8 3				
"		John Cope, .....	Ditto 2d Tr. 1st Bde. do	19 6 0				
"		John Stokes, .....	Ditto 3d Tr. do do	29 7 11				
"		Francis Shaw, .....	Ditto 1st Co. 4th Bn. do	7 15 8				
"		John Kenny, .....	Ditto do do do	52 7 6				
"		Charles Stenberg, .....	Ditto 4th Co. 3d Bn. do	0 11 9				
"		Thomas Connor, .....	Ditto do 2d Co. do	47 9 6				
"		Thomas Casey, .....	Ditto do do do	29 3 0				
"		James Finn, .....	Ditto 3d Co. do do	0 2 3				
"		James Ramsbottom, .....	Ditto do do do	17 2 10				
"		John Logan, .....	Ditto 4th Co. 4th Bn. do	0 4 7				
"		Andrew Watson, .....	Sergeant 3d Co. 2d Bn. do	245 9 5				
"		Dennis Reardon, .....	Boatman 2d Tr. 2d Bde. N. I.	18 4 5				
"		E. Quinlan, .....	Ditto 4th Co. 2d Bn. Arty.	119 12 1				
Oct. 18th		John Cronan, .....	Gunner 3d Co. 3d Bn. do	316 4 6				
23d		Shepherd Hart, .....	Bt. Maj. 43d Regt. N. I.	167 13 10				
"		Alfred Jackson, .....	Captain 30th do	739 15 10				
"		G. W. Alexander, .....	Ensign 6th do	160 5 0				
"		W. C. P. Colman, .....	Lieut. 37th do	1402 7 7				
"		Shepherd Hart, .....	Bt. Major 43d do	3585 13 9				
"		Charles Black, .....	Lieut. 17th do	246 14 8				
"		H. T. Daniels, .....	Ditto 29th do	1039 9 4				
"		Charles Upton Tripp, .....	Lt. and Bt. Capt. 36th Regt. do	1242 14 7				
12th		Lieut.-Colonel Comdr. Charles Paul, Comd. European Invalids	Gunner 1st Arty. Co European Invalids	44 8 5				
30th		Lieut.-Col. J. Stuart, Secy. to the Govt. of India, Mil. Dept.	Majr (Lt. Col.) 23d Regt. N. I.	240 11 6				
27th		G. W. Alexander, .....	Ensign, 30th do	656 10 2				
Decr. 1st		O. Dodgson, .....	Asst. Surge. 30th do	160 5 3				
2d		William Bridge, .....	Lieutenant 62d do	800 0 0				
4th		Thomas Henry Drake, .....	Ditto 71st do	308 4 7				
6th		H. W. DePauw, .....	Asst. Oversee in the Department of Pub. Works	411 11 8				
18th		A. M. L. Madson, .....	Capt. 67th Regt. N. I.	408 8 8				
23d		H. T. Daniels, .....	Lieut. 29th do	120 8 8				
31st		E. M. Wyllie, .....	Ensign, 40th do	628 10 8				
		Company's Repaid		28847 8 11				

Excess Exempted,

For the General Treasury, the 31st December, 1840.

(Signed) W. H. OAKES, Sub-Treasurer.



FORT WILLIAM, 21st July, 1841.

No. 179 of 1841.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Appointment:

Brigadier Michael Riddell, of the Army of Fort Saint George, to be a Brigadier of the 1st Class, and to the Command of the Hyderabad Subsidary Force from the 23rd of August 1841, the date on which Brigadier Wahab's tour on the Staff will expire.

J. STUART, Lt.-Col.,  
Secy to the Govr of India, Milly. Dept.

Packets for the reception of Letters by the following Ships are open at this Office.

Name of Vessel.	Agents.	Intended Departure	To what Port.	Teaching at.	Remarks.
Steamer,		From Bombay 1st Sept. latest date for letters from Calcutta 17th August.	Overland Letters via Suez.		
Flora McDonald	J. Mackey and Co.	23rd July, 1841.	Perang.		
John Knox	Crooke and Co.	24th July, 1841.	London.		
Navatine	J. Mackey and Co.	25th July, 1841.	India.		
Mur	Lyall, Matheson and Co.	25th July, 1841.	Calcutta.	Singapore.	
Elizabeth	Eglinton, Alchare and Co.	27th July, 1841.	London.		
Romeo	Culvin, Ainslie, Cowie & Co.	28th July, 1841.	India.	Cape of Good Hope.	

Wm. MOUTRIE, Deputy Post Master.

Calcutta, General Post Office, the 22nd July, 1841.

# RULES RELATIVE TO THE BONDING OF RUM.

Produced at Licensed Distilleries worked in the European method. Such Rum being removed under Bond for exportation by Sea.

First.—Parties working under License, Distilleries constructed and worked in the European method, will be allowed to remove Rum there produced direct to Calcutta, without the previous payment of the Still Head Duty after executing a Bond to the Hon'ble the East India Company, binding themselves to pay Eight Annas per Wine Gallon being

Leviable under the consolidated Alchary Tax, Section 4, Clause 1st, and Still Head Duty for any Regulation VII. of 1834.

portion of the Spirits so bonded, which may not be exported by Sea as Merchandise within four Calendar months from the date of the Bond.

Second.—A Member of some established House of business in Calcutta to be one of the parties bound, and the parties bound to be jointly and severally answerable for any amount which may ultimately fall due under the Bond.

Third.—The Distillery and Apparatus will be considered as pledged for any amount which may become due under the Bond.

Fourth.—The Board of Customs, Salt and Opium, may refuse the security tendered without assigning any cause.

Fifth.—Bonds will not be received for a less quantity of Rum than 1000 Wine Gallons, and no quantity of less than 1000 Wine Gallons will be allowed to be removed from the Distillery under Bond. No Spirits to be removed of a strength below London proof.

Sixth.—On the Bond being duly executed, an order with corresponding marks and numbers, will be issued to the Collector of Land Revenue or other Officer duly authorized, under whose supervision the Distillery is worked, directing him to permit the quantity bonded to pass from the Distillery without payment of the Still Head Duty. At the same time a true copy of the Bond will be forwarded to the Collector of Calcutta Customs.

Seventh.—The Deroogh or other Officer in charge of the Distillery, will not allow any Cask of Rum to leave the Distillery without the following marks cut or legibly pointed on the Cask:

1. The name of the Distillery and known mark of the Proprietor.
2. The quantity of Rum contained in the Cask.
3. The strength of the Rum over London proof, as for instance the marks for Dhoobah will stand thus—

\* Meaning 5 degrees over or above London proof.



Eighth.—The above marks must be put at each end of the Cask, the strength above London Proof must be declared and marked by the Proprietors themselves or their Agents at the Distillery.

Ninth.—On the Rum being removed from the Distillery, the Collector of the District, or other Officer duly authorized will grant a Pass for its protection to Calcutta, (as is now done when Spirits pay the Still Head Duty) and then immediately make his return to the Board that they have been so removed.

Tenth.—The Calcutta Custom House to have no cognizance of the Rum until it is brought for exportation. If the Proprietors of Rum Distilleries or their Agents should rent a Godown on the Custom House Premises, the Rum as brought from the Distillery may of course be lodged in that Godown. But all Rum so lodged on the Custom House Premises must be considered as intended exclusively for export by Sea. In other words, no Rum lodged in Godowns on the Custom House Premises, can be passed into town subsequently, nor be passed otherwise on any account except for direct Sea Export.

Eleventh.—On Bengal Rum being brought to the Custom House for exportation, the exporting Parties shall declare in writing by what Bond it is protected, and shall produce the Pass of the Collector of Land Revenue, or other Officer duly authorized to grant Passes, and the Factory Invoice, it shall then be gauged for quantity, and proved to ascertain strength by a Custom House Officer. If the strength be not less than that shown by the mark on the Cask, which Cask must be the same in which it was removed from the Distillery, the Rum shall be allowed to pass for Sea Export, and the quantity be written off on the copy of the Bond, which will previously have been furnished to the Collector of Sea Customs from the Office of the Board of Customs, Salt, and Opium. If the strength be less than the mark on the Cask, the Cask and Spirit in question shall be liable to condemnation and forfeiture to Government. No Rum shall be allowed to be exported below London Proof,

CUSTOMS.

List of Packages lying unclaimed at this Office.

- 1 Box, Wm Spoken, 1st European Regt. 4th Com-  
pany, per Roberts.
- 1 Parcel, J. Swan, Governor's Clerk, per Ballance.
- 1 Dittos, J. Poate, care of Mr. Bastard, per ditto.
- 1 Box, Comdr. J. Baldock, Ordnance Depart-  
ment, per Carpathia.
- 1 Parcel, Mr. Gilbert, Clerk H. M. S. Nimrod,  
per India.
- 1 Butts, marked Z in diamond, per Walmer Castle.
- 2 Hds. & 2 Butts, do C B S 25, 20, 5, 5, per do.
- 2 Butts, ditto 4 diamonds S O, per ditto.
- 1 Ditto, ditto C, per ditto.
- 2 Hds., ditto { S S } per ditto.  
                          { G Muller,  
                          J W
- 3 Ditto, ditto { S S } per ditto.  
                          { G Muller,
- 1 Case, ditto C. W. H., per ditto.
- 4 Butts, ditto R L, per Imam of Muscat.
- 1 Case, Major Wilcox, per Viscount Melbourne.
- 1 Ditto, Collie Mackenzie, W in diamond, per  
Mountaineer.
- 1 Package, Capt. W. H. Shelstone, per Highlander.
- 1 Trunk, marked J C, per Indian Queen.
- 1 Chest, no mark, per ditto.
- 1 Case, H. Ward, 33d Regt., per Winchester.
- 1 Ditto, Mr. Fagan, per Colombo.
- 1 Ditto, W. B. Hamilton, care of R. J. E. Camp-  
bell, per Mary and Susan.
- 1 Ditto, Lieut. Col. Booth, care of Griffiths and  
Co., Madras, per Eliza.
- 1 Parcel, Revd. Mr. Haberlin, per Hindostan.
- 1 Ditto, Lt. G. Crispin, per ditto.
- 2 Ditto, E. T. Downes, per ditto.
- 1 Ditto, Editor of the India Review, per ditto.
- 1 Ditto, A. Nicholson, Cadet, per ditto.
- 1 Ditto, Dr. Jas. Murray, Inspr. Genl. of Hos-  
pitals, per ditto.
- 1 Ditto, M D. Birch, Bank of Bengal, per ditto.
- 1 Case, Captain F. Angelo, per City of Poona.
- 1 Package, J. Alport, per Dromedary.
- 1 Parcel, Jamieson and Co., per Rajasthan.
- 1 Ditto, Messrs. Willis and Earle, per ditto.
- 1 Ditto, Patterns of P. 84 Males, per ditto.
- 1 Ditto, Capt. T. Lyssaght, per Tamerlane.
- 1 Ditto, M. R. Gubbins, per ditto.
- 1 Ditto, Surgeon W. Stevenson, per ditto.
- 1 Ditto, S. D. Birch, Bank of Bengal, per ditto.
- 1 Ditto, E. T. Downes, per ditto.
- 1 Ditto, Lieut. A. Cunningham, per ditto.
- 1 Case, marked P L, per Earl of Harlow.
- 1 Trunk, 1 Box, 1 Case, L in diamond 1 3,  
per ditto.
- 1 Case, J. Bradford, per Zenobia.
- 1 Cr. Case, per Asia.

R. WALKER,  
Collector of Genl. Customs.

Calcutta, 28d July, 1841.

The Collector has no objection to pass Packages, which are intended for private use, and not for Sale, unopened—provided that at the time they are applied for, satisfactory proof of their contents in the shape of Invoices, Bills, or Letters of Advice are produced. In the absence of these documents, owners should depute a person to be present at the opening of their Packages.

The Collector has nothing to do with the landing of Packages from Ships, nor with forwarding them to their owners or destinations.

Court for the Relief of Insolvent Debtors at Calcutta.

NOTICE is hereby given, that the matters of the Petition and Schedule (the same having been filed in the Court), of

BOLLAN CHUTTOFABIA,  
of Barrs Esq., 76 Calcutta, Broker, and now a prisoner for debt in the Court of Calcutta, will be heard on Saturday, the 4th day of September next, at the hour of 11 o'Clock in the forenoon.

No Creditor will be allowed at the Hearing to oppose the discharge of a prisoner, unless he shall have given notice to the Chief Clerk three clear days before the day of Hearing.

Office of Examiner, 18th July, 1841.  
Mr. Marshall, Atty.

কলিকাতার জোজবিন করজদারদের পত্র  
জাণে আদালত

একবারের ধর বেওয়া আইতেছে যে এই আদালত দাবিদারের আদালত ও কদের দিবস নিচের বাসিত

বলরায় চট্টোপাধ্যায়

কলিকাতার বড়দারের নিয়মি দালান এর...  
একনে দেবার নিয়মে কলিকাতার জেলের এক করেদী আগতো সেপ্টেম্বর মাহার ৪ খনিবার বেলা ১১ ঘটীর সময় তাহার দিবস নুনাবি হইবেক

“ কোন মহাজন আপত্তা করিতে পারি  
হের নাই প্রাপ্যনিত কোন কয়েদীর জবাবি নুনা  
নির নিয়মিত দিবসের পূর্বে চিপ কেলাক হাহেবের  
আকিবে নুনা বা নেন ”

একজারিনরু সাহেবের আকিবে

সন ১৮৪১ সাল ১৯ জুলাই

মে... মার্সাল উকিল

Court for the Relief of Insolvent Debtors at Calcutta.

NOTICE is hereby given, that  
HARMAN GEFROY, of Gurrahattah, Calcutta, Bar-  
rister at Law.

Now a Prisoner in the Gaol of Calcutta, hath filed his Petition, praying for Relief under the Provisions of the Statute 8th Geo. IV. Cap. 78, entitled “an Act to provide for the Relief of Insolvent Debtors in the East Indies, &c.” and the said Herman Geffroy hath, in trust for the benefit of his Creditors, executed an Assignment to the Common Assignee of the said Court, of all the real and personal Estate and Effects which he now hath, or is entitled to, or which may come to, or be acquired by him before the Court shall have made its final order in the matter of the said Petition.

P. O'Hanlon, Examiner.

Office of Examiner, 20th July, 1841.

Messrs. Hedger & Smalley, Atties.

কলিকাতার জোজবিন করজদারদের পত্র  
জাণে আদালত

সমাজের বেওয়া আইতেছে যে

হরম্যান জাকরাই কলিকাতার গরানবাটী দি  
যানি বেরিটর

সম্পত্তি তিনি কলিকাতার জেলে কয়েদ আছে  
ন এর... তাহার আরজি দাবিদার করিগাহেন এই  
প্রার্থনার যে চতুর্দশ জাণে বাগসাধের বাবলাইয়ের  
৯ নম্বর বৎসরের একশত আদিনে ৭৩ হারা  
জাহার নাম বিদ্যুতাবের জাকর করজদারদের পত্র  
জাণে আইন তাহার দিবস আদালত তাহার সমাজে  
আদালত আইনে এর... এই উক্ত হরম্যান জাকরাই  
উক্ত আদালতের সাধারণ মোকাদ্দারের বিকট  
তাহার মহাজনদের উপকারার্থে তারত দাবর  
ও অদাবর দিবস জাহা একনে তাহার আছে  
কিনা জাহা উক্ত আরজির দিবসে উক্ত আদালত  
হইতে শেষ হইয়া হইবার পূর্বে তাহার হতে আ  
হলে কিনা উপায়ে করেন এই সকলের এক মোক  
দা... নিয়মিত দিবসের পূর্বে

P. O'Hanlon, Examiner.

একজারিনরু সাহেবের আকিবে

সন ১৮৪১ সাল ২০ জুলাই

মে... মার্সাল উকিল

**CHARTER OF THE COLLEGE OF PRESIDENT DOCTORS OF CALCUTTA.**

In the matter of PERVA FOSCO, of Huronitah Gulch, in Calcutta, Ship Builder, an Insolvent. } On Saturday, the 3d day of July, instant, it was ORDERED, that Saturday, the 3d day of October next, be appointed for Hearing in this matter; and that the said Insolvent do then attend before the Court.

"Any Creditor or other person interested, who may intend to establish or oppose any claim upon the Estate of the said Insolvent, may attend and be heard at the Hearing, having given notice at the Office of the Chief Clerk three clear days before."

Office of Examiner, 22d July, 1891.

**Misses: Weddington and Sender, Attim.**

কলিকাতার জোড়হিন করণারান্নবিশেষ  
পরিচালনা আদায়—

[illegible][illegible]

কেন্দ্রীয় সরকারের নীতিমালা অনুযায়ী

ਸਨ ੧੮੪੧ ਆਨ ੨੨ ਅਗਸਤ

যেখানে প্রমোডি, টানে এবং ম্যাগনাস উকিন

SHERIFF'S OFFICE, 20 JULY, 1961.

**NOTICE** is hereby given, that a Sessions of Oyer and Terminer and Gaol Delivery, and also an Admiralty Sessions, will be holden by the Supreme Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House, in the said Town of Calcutta, on Monday, the Second day of August next, at 12 of the Clock at Noon.

W. C. BRADDON, Sheriff

The Court will open on the first day of the Session, at 12 o'clock at noon, and upon each succeeding day, precisely at 11 o'clock in the forenoon, of which all persons are required to take notice.

W. C. BRADDON, ~~SA~~

**संविधान संशोधन अधिनियम, १९७१**

बकागर बेडा। यहिकह रे बागोरी २ अ।

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1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

এই সমিতির সভাপতিত্ব করিতেছেন ডা.  
হাজি আব্দুল হক। দুই ঘণ্টার সময় কাহার পর  
অভিযান ১১ ঘণ্টার সময় বজরারক এমিয়ার  
সকলে যরণ গ্রাধন—

W. C. BRADDON, Sheriff

**NOTICE.**—The Public are hereby informed, under orders of Government, dated 28th January, 1859, that excavations, surrounded with fences, and having lights at night, are in progress in the undermentioned Thoroughfares in the Town of Calcutta.

**Lower South Division.**

Surface Drain, on the Southside of Middleton Street, to be constructed.

*Upper North Dialects.*

Chitpore Road, West side, from opposite Dwarkeynoth  
Tagore's Lane ■ Churruksdangah Street, Aqueduct ■ be  
built.

**R. J. ROSE, *Off. Supl. Conservancy.***

**NOTICE** is hereby given, that the Toll Ghat on the Metabangah will be removed from Kanaghat in Hasekhulla, on the 1st proximo, as sanctioned by Government.

WM. M. SMYTH, Capt.

**Supr. Nuddas Rivers.**

**NOTICE.**

**T**HE First Half of a Bank of Bengal Note, No. 31407, for Co.'s Rs. 100 (one hundred) having been lost, the property of Collyburn Shaw : the payment of which has been stopped at the Bank.

**BANK OF BENGAL.**

15th July, 1841.

**NOTICE** ■ hereby given, that agreeably to the XXXVI. Section of the Charter, Act No. VI of 1839, the *Annual General Meeting of Proprietors* of the Bank of Bengal, will be held at the Bank on Tuesday, the 3d Proximo, (Monday, the 2d Proximo, being a holiday) at 11 A. M.

**Published by Order of the Directors.**

**T. BRACKEN, Secretary, Dept.**

**T**HE Public are hereby informed, that the Sub-Treasurer will negotiate Bills upon the order of the Provincial Treasurer, at the rate fixed, for the extent of the sum that is available at each Treasury.

## LOWER PROTECTIONS

Bakergunge	১৩০৬
Danooch,	১৩০৭
Dumki,	১৩০৮
Dinapore,	১৩০৯
Jamshedpur,	১৩১০
Kharagpur,	১৩১১
Kalchini,	১৩১২
Lohardighi,	১৩১৩

**Abstract**

**Q. Jones, what is the difference between the two?**

**NOTES**

**Management General Co. Refers**

**NOTICE.**

**UNCOVENANTED SERVICE PENSION FAMILY FUND.**

**T**HE Fourth Annual General Meeting of Subscribers to the above Institution will be held in the Town Hall, on Tuesday, the 10th of August next, at 10 o'clock, to receive the Report of the Directors for the past year, and to consider such matters as may then be submitted.

By order of the Directors,

**H. ANDREWS, Secretary.**

Unconv. Service Family Pension Fund  
Office, 28th June, 1841.

**NOTICE.**

**MIRZAPORE STONE MEHAL.**

**T**HE following agreement, signed by Mr. T. Menzies, Theekadar of the duties of the Mirzapore Stone Mehal, is published for general information.

By order of the Sudder Board of Revenue N. W. P.

(Signed) **H. M. ELLIOT,**

Secretary.

Allahabad, 1st July, 1841.

Having taken a Lease of the duty levied on Stones at the Quarries of Chunar and Mirzapore, I hereby consent to abide by the conditions hereinafter set forth.

1st. That which is leased to me is the right to collect the duty on Stones before they are removed from the Quarries according to the provisions of Regulation II. of 1800.

2nd. I will not interrupt any person in the exercise of the right reserved to the public, of freely quarrying Stones, as set forth by the Regulation.

3rd. I will keep constantly suspended in my Office and in that of any Agent whom I may employ, and in a conspicuous place in each Quarry, a table of the rate of duty leviable on Stones, according to Clauses 2 and 3, Section 8, of Regulation II. of 1800, written in a legible hand in the Persian and Hindoo characters. I will also keep suspended in all the above places any Table which may be furnished me by the Collector, of the amount of duty on Stones according to their size.

4th. On receipt of an order to that effect from the Collector, I will immediately remove any Choked which that Officer shall object, I am at liberty to place such and so many Choked as I may think fit wherever the Collector may not object.

5th. I will not obstruct the free passage of Stones beyond or without the circle of Choked, and will not make any demand on Stones in transit beyond those limits.

6th. An application made to me in writing by a person to remove Stones from the Quarry, I will, within 24 hours, adjust the demand of duty, and on tender of the amount, furnish a Rowanah to the applicant.

7th. If any dispute should arise about the amount of duty leviable on any despatch, I will abide by the order of the Collector.

8th. If I should detain any despatch on suspicion of smuggling, I will, within 24 hours, report the same to the Collector and be guided by his orders, as to the detention or release of that despatch.

9th. If I should break any of these conditions, the Collector is at liberty to annul my lease and make such provision for the collection of the Government duties on Stones as he may judge proper.

In witness whereof I have hereunto set my hand this Ninth day of June, 1841,

In the presence of

(Sd.) **J. WALKER,**

*Dy. Collr.*

" **J. HOLLIER,**

*Head Clerk.*

(Signed) **THOS. MENZIES.**

Signed and executed by Mr. T. Menzies this day,

9th June, 1841, Mirzapore.

poor Collectorship.

(Signed) **W. E. MONRY, Acting Collector.**

(True Copy.)

(Signed) **H. M. ELLIOT, Secretary.**

**NOTICE.**

**A** REWARD of 200 Rupees will be given to any person procuring the apprehension of Isur-chunder Banerjee, an inhabitant of Jorhanka, in Calcutta, and late a Darogah of Ghaut Monohurgunge, in the Salt Agency of 24 Pergannahs.

**MEMORANDUM.**

The Bell dropped this day One Second (1s) after mean noon.

(Signed) **V. L. REES.**

*In charge of the Observatory.*

SURVEYOR GENERAL'S OFFICE,  
Calcutta, 21st July, 1841.

**BENGAL CIVIL FUND.**

**NOTICE.**—A Half Yearly General Meeting of the Subscribers to the Bengal Civil Fund, will be held at the Town Hall, on Saturday, the 31st of July next, at 11 A. M., for the purpose of passing the Accounts of the past year, and for the consideration of any other matters that may be submitted.

By order of the Managers,

**H. V. BAYLEY, Secy. Genl.**

C. P. O., the 1st June, 1841.

**NOTICE** of Public Sale for Arrears of Revenue, under interdictatory liquidation, at the Collectorship of Dinagpur, on Thursday, the 10th August next, or 29th Sawun 1248 B. S.

Name of Mehal to be sold, and of Parganna in which it is situate, and No. of Lot in the Collector's Sale Statement.	Registered Proprietor.	Amount of Revenue, for 1st May, with interest up to 30th June 1841.
Mouk. Baghoostpore, No. of Lot 171-200.	Gopal Lal Tager.	245 10 0
" Hurdharpore, No. of Lot 150-200.	Hurdharpore 200.	215 10 0
" Baidyapah, No. of Lot 140-201.	Baidyapah 201.	215 10 0
" Baidyapah, No. of Lot 141-200.	Baidyapah 200.	215 10 0

Dinagpur, Collector's Office, the 1st July, 1841.

Dinagpur, Collector's Office, the 1st July, 1841.

**NOTICE of Public Sale for Arrears of Revenue, unless immediately liquidated, at the Collector's Office, Zillah Jessore, on the 23d day of July 1841 next, corresponding with 9th Srabun 1248 B. S.**

	Name of Mohal to be sold, and of the Pergunnah in which it is situated, and No. of Lot in Collector's Sale Advertisement.	Recorded Proprietor.	Annual Sudder Jumma.	Arrears of Revenue, including Interest and Penalty.	Remarks.
1	Ph. Essupore Amcraabad,...	Boomulla Dossan, .....	14994 15 11	805 10 9	{ Indigo, Date Trees, Sugar, and all kinds of Grain are produced in this Mohal.
2	" Mahomedshya, Hissa } 3 Aa. 4 Ga. ....	Tarreesaychurn Banerjee, ...	24140 1 1	2022 4 10	
3	" Nuldee, .....	Sreenarain Singh, .....	71211 11 7 1/2	3047 18 1 1/2	
4	" Ramchunderpore, .....	Kallynath Roy, & ora., .....	18454 2 1	143 2 4	Do.
5	" Tf. Rossosopore, in } Ph. Essupore, .....	Poolinbeharry Sein, & ora.,	29492 8 8	603 14 9	Do.
6	" Syedpore, .....	Rajah Burdakanth Roy, ...	46182 10 2	2899 13 8	Do.

Zillah Jessore, Collector's Office, the 8th July, 1841.

G. STEER, Offg. Collector.

**NOTICE of Public Sale for Arrears of Revenue, unless immediately liquidated, at the Collector's Office, Zillah Jessore, on the 23d day of July 1841 next, corresponding with 9th Srabun 1248 B. S.**

	Name of Mohal to be sold, and of the Pergunnah in which it is situated, and No. of Lot in Collector's Sale Advertisement.	Recorded Proprietor.	Annual Sudder Jumma.	Arrears of Revenue, including Interest and Penalty.	Remarks.
1.	Ph. Datta, &c., .....	Ramchunder Pal Chowdry } & ora., .....	47322 5 6 1/2	436 8 9 1/2	{ Indigo, Date Trees, Sugar, and all kinds of Grain are produced in this Mohal.
2.	Tf. Keothareah, in Ph. Ma- } homedshya, .....	Ramkenie Deb Roy, and ora., ..	9285 2 11	448 10 11	
3.	Ph. Santore, .....	Ramchunder Pal Chowdry } & ora., .....	42838 7 5	1440 7 1	

Zillah Jessore, Collector's Office, the 8th July, 1841.

G. STEER, Offg. Collector.

**NOTICE of Public Sale for Arrears of Revenue, unless immediately liquidated, at the Collector's Office, Zillah Hooghly, on Tuesday, the 27th July 1841, corresponding with 13th Srabun 1248 B. S.**

	Name of Mohal to be sold, and of the Pergunnah in which it is situated, and Number of Lot in Collector's Sale Advertisement.	Recorded Proprietor.	Amount Sudder Jumma.	Arrears of Revenue, including Interest for the Kist of April 1841.	Remarks.
No. 12.	Jagodishpore, Ph. Borne, .....	Gollynoth Chowdry, &c.,...	39697 2 0	1800 12 2	{ This Land produces Paddy, &c.
" 34.	Gobindpore, Ph. Jahanabad, .....	Radhaparsund Roy, .....	19441 15 0	509 14 7	
" 35.	Ballasurpore, Ph. Chunderpore, .....	Ditto, .....	11296 8 6	557 7 9	

Hooghly, Collector's Office, 2d July, 1841.

W. H. BELLI, Collector.

**NOTICE of Public Sale for Arrears of Revenue, unless immediately liquidated, at the Collector's Office, Zillah Hooghly, on Tuesday, the 27th July, 1841, corresponding with 13th Srabun 1248 B. S.**

	Name of Mohal to be sold, and of the Pergunnah in which it is situated, and Number of Lot in Collector's Sale Advertisement.	Recorded Proprietor.	Amount Sudder Jumma.	Arrears of Revenue, including Interest for the Kist of April 1841.	Remarks.
No. 16.	Heydayrampore, Ph. Chocpoocha, .....	Jaykissen Mookerjee, &c., including Chackra, ...	42944 2 8	410 7 1	{ This Land produces Paddy, &c.
" 37.	Savakkhally, Ph. Baulah, .....	Prasanth Chowdry, &c., ...	26148 0 8	225 12 8	
" 18.	Bahadurgarah, Ph. Balleogurry, .....	Do. &c., including Chackra, ...	7900 1 7	612 8 6	
" 19.	Conidohar, &c., Chunderpore, .....	Gollyporsund Roy, &c., including do., .....	10794 12 2	427 12 4	Do.
" 20.	Neckurbang, Ph. Do., .....	Ramchander Gungopaddha, &c., .....	12200 7 2	574 13 6	Do.
" 31.	Bunpore, Ph. Do., .....	Hazurkhan Seal, &c., &c., do., .....	10340 7 9	531 8 4	Do.
" 22.	Angur, Ph. Do., .....	Jaykissen Mookerjee, &c., do., do., .....	10004 10 7	555 2 9	Do.

Hooghly, Collector's Office, 2d July, 1841.

W. H. BELLI, Collector.



**NOTICE of Public Sale,** in satisfaction of a Decree of the Civil Court, (unless intermediately liquidated) at the Collector's Office, Zillah Cuttack, on Saturday, the 7th August, 1841; corresponding with 25th Srabon 1248 U.

Name of Estate to be sold, and Pergunnah in which it is situated and No. of Lot in Collector's Sale Advertisement.	Recorded Proprietor.	Amount Sudder Jumma.	Amount of Decree in satisfaction of which it is now to be Sold.	Name of Plaintiff.	Remarks.
No. 1, Killah Dargun, {	Raja Shaik Utkor Hossain, .....	7310 10 2	18641 9 7	Doorgaperund Pundit deceased, Uncle and Mafaz of Gopenath Pundit minor, adopted Son of Mahatub Rai Pundit.	This is a very profitable Estate — Produces Paddy, Gram, Tobacco, Sugar Cane, &c., and offers a most desirable Investment for Capital.

Zh. Cuttack, Collr's. Office, the 5th July 1841.

E. E.

G. G. MACKINTOSH, Offg. Collr.

**NOTICE of Public Sale for Arrears of Revenue, &c.** unless intermediately liquidated, in the Collector's Office, of Zillah Mymensingh, on Friday, the 6th August 1841, or 23rd Srabon 1248 B. S., prepared as per Form received with Commissioner's Circular No. 322, dated 14th November 1835.

Names of Mohals to be sold, and of the Pergunnah in which they are situated and Number of the Lot in the Collector's Sale Advertisement.	Recorded Proprietors.	Amount of Sudder Jumma.	Arrears of Revenue, including Interest for the Quarter of May, 1841.	Remarks.
No. 1. Pergh. Allapsing, Ha. 1 Anna 6 Gds. 2 Cra. 2 Kist, ...	Shibkishore Acharge Chowdry, &c., .....	5,096 9 2	168 11 0	{ This Mohal is under Retention.
" 3. Ditto Ditto, Ha. 4 Annas, .....	Chundroholoe Dibhee, &c., ...	15,016 12 1	466 10 4	
" 4. Ditto Attea, Ha. 8 Annas, including Ismaillee Mateen Degur, .....	Rowshun Khatoon Chowdry & ora., .....	21,533 3 2	553 6 11	
" 15. Ditto Barbazoo, Ha. 7 As. including Ismaillee Abdoolepore, & ora., .....	Baban Bhee & ora., .....	9,553 1 7	243 7 11	
" 23. Ditto Cogmarree, Ha. 6 As., .....	Golucknath Roy Chowdry, ...	9,931 0 10	323 6 4	{ This Mohal is under Retention.
" 24. Ditto Ditto, Ha. 5 As. including Ismaillee, ...	Doysmoos Chowdrane & ora., ...	8,566 0 5	304 14 1	
" 28. Tupeh Koorankhya, ...	Chundroholoe Dibhee & ora., ...	10,910 15 2	322 1 11	
" 49. Pergh. Hoesanahya, & Joar Hoesapore, including Ismaillee, ...	E. K. Huma, Esq. & ora., .....	45,457 14 6	1,034 4 8	
" 54. Ditto Mymensing, Ha. 4 As. including Barbealla, .....	Shumbochrander Chowdry & ora., .....	30,533 15 0	747 13 1	
" 55. Ditto Mymensing, Ha. 4 Annas, .....	Tarreenyknuth Laharree & ora., ...	32,443 9 11	657 2 8	
" 56. Ditto Ditto, Ha. 4 As., .....	Narainee Dibhee Chowdrane & ora., .....	32,443 3 4	619 12 4	
" 57. Ditto Ditto, Ha. 4 Annas, .....	Buggorpttee Dibhee & ora., ...	32,361 4 7	409 5 7	{ This Mohal is under Retention.
" 70. Ditto Nasarofaul, Ha. 4 As. 19 Gds., including illegally separated Mohals, .....	Joygunt Chunder Chowdry & ora., .....	7,184 1 1	229 6 2	
" 86. Ditto Sooring, Ha. 14 Annas, .....	Rajah Wismannath Sing & ora., ...	18,300 4 4	216 8 9	

These Lands produce Paddy, Sugar Cane, Indigo, Cocconuts, &c. &c. &c.

Mymensing Collector's Office, the 1st July, 1841.

R. M. SKINNER, Collector.

### Sheriff's Sales.

**NOTICE** is hereby given, that on Thursday, the Twenty-ninth day of July, instant, precisely at the hour of 12 o'clock at noon, the Sheriff of Calcutta will put up to Public Sale, at the Lower Verandah of the Court House, near the entrance into the Sheriff's Office, by Virtue of a Writ of Fieri Facias in his hands against Daniel Edward Malloch,—

Sundry Goods, consisting of Wines of sorts, (that is to say,) Sherry, Beer, Claret, Madeira, Champaigne, Vinegar and Soda Water, Empty Bottles of sorts, and also a Soda Water Machine, together with the implements and necessaries for Manufacturing Soda Water, Godown Horses and Hail Punks, the property of and belonging to the said Daniel Edward Malloch.

The Conditions of Sale may be known by applying at the Sheriff's Office.

**NOTICE** is hereby given, that on Thursday, the Fifth day of August next, precisely at the hour of 12 o'clock at noon, the Sheriff of Calcutta will put up to Public Sale, at the Lower Verandah of the Court House, near the entrance into the Sheriff's Office, by Virtue of a Writ of Fieri Facias in his hands against George David Brown and Bacharam Takoor,—

1.—The Right, Title, and Interest of the said Bacharam Takoor, of, in, and to all that Lower-roomed Brick-built Messuage, Tenement or Dwelling House, No. 243, with a piece or parcel of Land thereunto belonging, containing, by estimation, Four Cottahs, more or less, situate, lying, and being at a place called Haracottah's Lane, in Mullung, in the Town of Calcutta, and butted and bounded as follows: (that is to say,) on the East by the House and Land of Moonshree Abbash, on the West by a Lane, on the North by a House and Land of the said Bacharam Takoor, and on the South by a Public Road.

2.—Also, the Right, Title, and Interest of the said Bacharam Takoor, of, in, and to all that another Lower-roomed Brick-built Messuage, Tenement, or Dwelling House, No. 243-1, with a piece or parcel of Land, thereunto belonging, containing, by estimation, Six Cottahs, more or less, situate, lying, and being at the same place, on the North adjoining the above House, and butted and bounded as follows: (that is to say,) on the South by the above House, on the North by the House and Land of Shaik Tonoo, on the West by a Tenanted House of Bissanauth Muttyloll, and on the East by a House and Land of Moonshree Abbash.

3.—Also, the Right, Title, and Interest of the said Bacharam Takoor, of, in, and to all that piece or parcel of Tenanted Land, containing, by estimation, Seven Cottahs, more or less, situate, lying, and being at Missapore, in the Town of Calcutta, and butted and bounded as follows: (that is to say,) on the East by a piece of Land of Kurroon Sircar, on the West by Land of Bucktar Mistry, on the South by a Lane, and on the North by a piece of Land of Rasmickchunder Neoghy.

4.—And also, three several Tiled Huts, standing on a piece of Ground, belonging to one Rosun Hawker, situate, lying, and being at Matchee Bazar, in the Town of Calcutta.

The Conditions of Sale may be known by applying at the Sheriff's Office.

**NOTICE** is hereby given, that on Thursday, the Twenty-sixth day of August next, precisely at the hour of 12 o'clock at noon, the Sheriff of Calcutta will put up to Public Sale, at the Lower Verandah of the Court House, near the entrance into the Sheriff's Office, by Virtue of a Writ of Fieri Facias in his hands against Meerjah Rajah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram,—

1.—The Right, Title, and Interest of the said Meerjah Rajah Narain Guzzypetty Rauze Bahadoor

Munnea Sultan, Rajah of Vizianagram, of, in, and to a Bungalow in Cantonments at Benares, South of the Church, late the property of Lieut. Studdy, now occupied by Mr. Johnson, standing on about Five Biggahs of Ground, with Tank and Garden, &c.

2.—Also, the Right, Title, and Interest of the said Meerjah Rajah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram, of, in, and to another Bungalow in Cantonments at Benares, near the Cavalry Stables, late the property of Mrs. Charlotte Rawstorne, now occupied by the Mess of the 59th Regiment N. I., stands on about Seven Biggahs of Ground, with Tank and Garden, &c.

3.—Also, the Right, Title, and Interest of the said Meerjah Rajah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram, of, in, and to another Bungalow in Cantonments at Benares, on the Road leading from the Cavalry Stables to the Linra, late the property of Captain C. Thoresby, now occupied by Lieut. Campbell, standing on about Three Biggahs of Ground.

4.—Also, the Right, Title, and Interest of the said Meerjah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram, of, in, and to another Bungalow in Cantonments at Benares, late the property of Dr. R. N. Burnard, deceased, now occupied by Captain Paul, with five Tanks and a Garden, standing on about Five Biggahs of Ground, more or less.

5.—Also, the Right, Title, and Interest of the said Meerjah Rajah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram, of, in, and to another Bungalow in Cantonments at Indian Ghaut, occupied by Captain Mitchel, standing on about Five Biggahs of Ground.

6.—Also, the Right, Title, and Interest of the said Meerjah Rajah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram, of, in, and to another Bungalow at the same place, now occupied by Lieut. Murray and Lieut. Rees, standing on about Four Biggahs of Ground.

7.—Also, the Right, Title, and Interest of the said Meerjah Rajah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram, of, in, and to another Bungalow in Cantonments at Benares, at the corner of Sadler Bazar, standing on about Three Biggahs of Land.

8.—Also, the Right, Title, and Interest of the said Meerjah Rajah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram, of, in, and to another Bungalow in Cantonments near the Theatre at Benares, late the property of Colonel Fiddle, now occupied by General Cock, standing on about Twelve Biggahs of Land, with Tank and Garden, &c.

9.—Also, the Right, Title, and Interest of the said Meerjah Rajah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram, of, in, and to another Bungalow, out of Cantonments on the Road leading from the Bridge to the Village of Sempore, late the property of Mrs. Anne Wright, now occupied by Mrs. Campuri, stands on about Four Biggahs of Land.

10.—Also, the Right, Title, and Interest of the said Meerjah Rajah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram, of, in, and to another Bungalow in Cantonments at Ghazepore, near the Monument, late the property of Captain Sibley, now occupied by Major Cowade, with a very fine Tank and Garden, standing on about Six Biggahs of Ground.

11.—Also, the Right, Title, and Interest of the said Meerjah Rajah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram, of, in, and to another Bungalow in Cantonments at Ghazepore, opposite to the Head House, late the property of Captain Strange, now occupied by the Quarter Master of the 2nd Regiment.

12.—Also, the Right, Title, and Interest of the said Meerjah Rajah Narain Guzzypetty Rauze Bahadoor Munnea Sultan, Rajah of Vizianagram, of, in, and to another Bungalow in Cantonments at Ghazepore, in



**Just Published,**

*And for Sale at the Bengal Military Orphan Press,*

Reports of Cases in the Court of Nizamut Adawlut, Part 2 of Vol. 3, containing Reports from 1835 to 1840 inclusive, Royal 8vo., .....	Rs. 8
Reports of the Sudder Board of Revenue, regarding the Survey and Settlement of the Land Revenue in the M. W. Provinces, Demy 4to., .....	4
Circular Orders passed by the Sudder Dewanny Adawlut, Part 3 of Vol. 3, from Jan'y. 6 to Decr. 18, 1840, with an Index to Parts 1, 2, & 3, or from the end of 1837 to the end of 1840, .....	6
Circular Orders passed by the Nizamut Adawlut, Part 3 of Vol. 3, from Jan'y. 6 to Decr. 26, 1840, with an Index from the end of 1837 to the end of 1840, .....	4
Minutes on the Conley Question, by J. P. Grant, Esq., fuchs-cap folio, pp. 75, .....	3

G. H. HUTTMANN,

July 15th, 1841.

Sept.

**East India Army Agency,**

16, CORNHILL, AND 8, ST. MARTIN'S PLACE,  
CHANCING CROSS.

Messrs. GRINDLAY, CHRISTIAN, & MATTHEWS.

**T**HE numerous communications which have been addressed to Captain Grindlay from all parts of India, conveying the most flattering approbation of the manner in which his duties to his constituents have hitherto been performed, and the most cordial assurances of support to the new Firm, commenced in November, 1838, are felt by him to call for a public expression of gratitude.

In thus offering his thanks for the extensive and honorable patronage long afforded to the Establishment under his sole management, and now so kindly promised to the Firm of GRINDLAY, CHRISTIAN AND MATTHEWS, he begs to assure his numerous friends and well wishers, that the efforts of himself and his partners will be unremittingly directed to merit the continued confidence reposed in them by the various branches of the Indian community, both at home and abroad.

The high character attained by the Establishment under his superintendence has been the result of many years' perseverance,—its pretensions were tested by experience, and the value of the facilities which it afforded for the dispatch of business, tried and vouch-ed for by a large proportion of those whose engagements led them to India. It is acknowledged with pride, that success followed exertion, and the means have thus been obtained of increasing the resources of the Establishment and greatly enlarging the circle of its usefulness.

In conclusion, Messrs. GRINDLAY, CHRISTIAN AND MATTHEWS have only to remind their Subscribers and the Public at large, that they continue to transact every description of business connected with India and the Colonies.

Parties desiring to support this Agency are informed that Subscriptions of 12 Rupees per annum will be received by:

Messrs. COLVIE, AINSLIE, COWIE & Co., Calcutta.  
Messrs. BINGEY & Co., Madras.  
Messrs. LECKIE & Co., Bombay.  
Messrs. FAITH & Co., Do.

Office of the East India Army Agency at London 16, Cornhill, and East India Rooms, 8, St. Martin's Place, Charing Cross.

**CORRESPONDENCE**

**Between Europe and India Overland.**

**T**HE following PLAN, now in practice by a large number of the Subscribers to Messrs. GRINDLAY and Co.'s Agency, is recommended for general adoption:—

ALL Letters should be addressed in the ordinary manner, but with the addition of "16, Cornhill" below, and the name of the Subscriber on the back, of whose account the Postage is to be charged. The Letters are, immediately on their receipt, registered and forwarded (post paid) by Messrs. G. and Co. to the address, either permanent or variable, of the Party in Europe or India respectively. The Postages, with the Annual Subscription, are charged periodically in account with the Subscriber, payable either in England or India; or in many cases a remittance in advance is made to cover the probable estimated amount during the year.

An Envelope, containing several enclosures, written on thin paper and watered, may thus be sent:—

**Via Marseilles.**

**IF WEIGHING**

Under Quarter of an Ounce, a single rate of postage .....	2s. 3d
Under Half ditto, double ditto .....	2s. 6d

**Via Falmouth.**

**IF WEIGHING**

Under Half of an Ounce, a single rate of postage .....	1s. 0d
Under One Ounce, double ditto .....	2s. 0d.

The Enclosures would then be forwarded by Messrs. G. and Co. to their respective destinations.

Subscribers absent from England have the privilege of naming a Proxy, to avail himself of the resources of the EAST INDIA ROOMS, in LONDON.

And it is requested that a Letter of full Instruction be addressed to Messrs. G. and Co.



# The Calcutta Gazette.

Published by Authority.

It is requested that Government Notifications for the Calcutta Gazette, of any length, may be sent to the Press before Noon of Tuesday, and those of a few lines only before 5 P. M. of that day.

WEDNESDAY, JULY 28, 1841.

FORT WILLIAM,  
GENERAL DEPARTMENT, 28th June, 1842.

All Public Officers of Government sending Advertisements to the Calcutta Gazette for Publication, are hereby directed to make them as short as possible, and to specify always how many times the Advertisement shall be repeated.

By Order of the Hon'ble the Vice President in Council,

H. T. PRINSEP, Secy. to the Govt.

FORT WILLIAM,  
FINANCIAL DEPARTMENT,  
THE 18th NOVEMBER, 1838.

The following revised Terms and Conditions for making Advances in India and China upon Goods and Merchandise consigned to England are published for general information, also the following paragraphs 5 and 6 of the despatch of the Hon'ble Court of Directors, dated 17th August, prescribing the same for future observance:

## TERMS AND CONDITIONS

FOR

MAKING ADVANCES IN INDIA AND CHINA,  
UPON

The Goods and Merchandise of Individuals intended for Consignment to England, re-payable to the Court of Directors of the East India Company.

1st.—The parties in whom Advances may be made shall agree that the respective Consignments be delivered into such Warehouses as the Court of Directors may approve: and that they be subject to the control of the Court of Directors until the lien of the Company upon the Consignment shall have been satisfied.

2d.—Upon each Consignment, the value of which is to be ascertained by the Officers of the Indian Government, or Authorized Agents of the East India Company, an Advance not exceeding three-fifths of such ascertained value will be made.

The rate of Exchange to be determined from time to time at the place where the Advance is made under the Court's orders.

3d.—For re-payment of the Advance, Bills of Exchange to be drawn in triplicate, at six months sight, at the rate of—

For Company's Rupee for Advances made at.....	Bengal.
Ditto.....	Madras.
Ditto.....	Bombay.
For Spanish Dollar Ditto.....	China.

4th.—The Parties will be required to place in the hands of the Agent of Consignments, Bills of Lading of the Consignment and Policies of Insurance effected thereon, both in triplicate. The Bills of Lading must be drawn

deliverable to the East India Company, or endorsed to the order of the East India Company. The Policies of Insurance must be effected in the name and on behalf of the East India Company, as the Parties interested, or endorsed to their order; but persons desirous of effecting the necessary Insurance in this Country, and of depositing the Policies in the Company's Treasury, will be allowed to do so.

5th.—In case of default being made either in acceptance, or payment of the Bills, the Court of Directors to be authorized, in such manner and at such times as they may see fit to sell the Goods, for the purpose of re-paying the Company the amount of the Advances made thereon, including Freight and any other charges or expenses which the Company may have incurred on account of the Consignment, together with interest, should any have accrued; the Company, on the other hand, allowing discount, where any part of the proceeds shall be realized before the Bills fall due, and the settlement of either surplus or deficiency shall be made with the Consignor; and in India or China by the Government or Agents from whom he received the Advances, at the rate of exchange at which the Company may at the time be drawing Bills upon such Government or Agents.

6th.—An Agent in England shall be appointed for each Consignment, to whom the Court of Directors shall be empowered to make over the Goods, subject to all the conditions agreed upon with the Company, on payment of the Bills; and with whom they shall be authorized to transact generally all business relating to such Goods. The Consignor shall be at liberty to make provision, in case of the Party upon whom the Bill is drawn, (being also the Agent) having failed to accept the Bill, for the substitution of another Agent.

7th.—After the arrival of the Goods in England and when they shall have been placed in such deposit as may have been agreed upon, the Agent may be put into possession of them before the Bills become due, upon the amount of such Bills (less discount) being paid, together with the Freight and any other charges and expenses which the Company have paid or may be subject to on account of the Goods.

8th.—The rate of Discount to be allowed by the Company shall be the same as that charged by the Bank of England; and in cases where interest shall have accrued, such interest shall be computed at the rate or rates percent. at which the Company have allowed Discount during the period for which such interest is chargeable.

9th.—Parties or their Agents will be required to insure the Goods from fire, and deposit the Policies with the East India Company; such Insurance to take effect from the date of the termination of the Sea risk. Should however the Parties or their Agents fail to effect such Insurance, the East India Company shall be at liberty to insure the Goods, the expense of which shall be reimbursed to them previously to their making over the Goods to those Parties or their Agents.



10th.—Parties receiving Advances, to address in each instance a Letter in quadruplicate to the Court of Directors, according to a form which will be furnished by the Officers of Government (or authorized Agents of the East India Company), signifying their assent to all the foregoing conditions, but more particularly for the purpose of expressly authorizing the sale of the Goods by the Company (without either notice to or concurrence of any person whomsoever) at any period after default shall be made either in acceptance or payments of the Bills; also authorizing, in such cases, the re-paying to the Company the Advances made, either principal or interest, together with any other charges or expenses which the Company may have incurred in respect of the Goods, and appointing the Agent in England for each transaction.

*Extract of a Despatch from the Hon'ble the Court of Directors in the Financial Department, dated the 17th August, No. 13 of 1838.*

5.—In future we desire that you will restrict your Advances to the great staple Articles of Indian Produce, Cotton, Silk, Sugar, Coffee, Indigo, Salt Peter and Pileo Goods—and further that no Advance be made upon any Consignment the ascertained value of which shall be less than 5,000 Rupees.

6.—Several Packages of Tobacco upon which you have made Advances have been seized by the Officers of Customs, in consequence of their having been imported in illegal Packages.—Extracts from the Acts 3 and 4, Will 4, Cap. 52, Sec. 58, and 6th and 7th Will. 4, Cap. 60, Sec. 4, relating to the Article of Tobacco, are transmitted in the Packet.

Published by Order of the Hon'ble the President of the Council of India in Council,

H. T. PRINSEP,  
Secy. to the Govt. of India.

FORT WILLIAM,  
FINANCIAL DEPARTMENT,  
THE 30 JUNE, 1841.

Notice is hereby given, that the Board of Customs, Salt and Opium, have been authorized to make Advances of Cash to Merchants on Bills of Exchange, secured by consignment of Goods at the rate of 2s. 1d. per Company's Rupee, until further Orders. In all other respects the Terms and Conditions of these Advances will be the same as advertised under date the 2d May 1838 and 27th November 1839.

Published by order of the Right Hon'ble the Governor of Bengal,

G. A. BUSHRY,  
Secy. to the Govt. of Bengal.

FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,  
THE 19th JULY, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 19th of July 1841.

ACT No. — OF 1841.

*An Act for extending in cases governed by English Law certain provisions of the Statute 3d and 4th William IV Ch. XLII, entitled "An Act for the further amendment of the Law and the better advancement of Justice."*

I. Whereas there is no remedy provided in cases governed by English Law for injuries to the Real Estate of any person deceased, committed in his life time, nor for certain wrongs done by a person deceased in his life time to another in respect of his property, real or personal; for remedy thereof it is hereby enacted, that an Action of Trespass or Trespass on the case, as the case may be, may be maintained by the Executors or Administrators of any person deceased for any injury to the Real Estate of such person, committed in his life time, for which an action might have been maintained by such person, so as such injury shall have been committed within six calendar months before the death of such deceased person, and provided such action shall be brought within one year after the death of such person; and the damages when recovered, shall be part of the personal Estate of such person; and further that an Action of Trespass or Trespass on the case, as the case may be, may be maintained against the Executors or Administrators of any person deceased for any wrong committed by him in his life time to another in respect of his property, real or personal, so as such injury shall

have been committed within six calendar months before such person's death, and so as such action shall be brought within six calendar months after such Executors or Administrators shall have taken upon themselves the Administration of the Estate and Effects of such person; and the damages to be recovered in such action shall be payable in like order of Administration as the simple contract debts of such person.

II. And it is hereby enacted, that no wager of Law shall be hereafter allowed.

III. And it is hereby enacted, that an action of debt on simple contract shall be maintainable in any of Her Majesty's Supreme Courts against any Executor or Administrator.

IV. And it is hereby enacted, that it shall be lawful for the Defendant in all personal actions (except actions for Assault and Battery, False Imprisonment, Libel, Slander, Malicious Arrest or Prosecution, Criminal Conversations or Debauching of the Plaintiff's Daughter or Servant,) by leave of any of Her Majesty's Supreme Courts where such action is pending, or a Judge of any of the said Courts, to pay into Court a sum of money by way of Compensation or Amends, in such manner and under such regulations as to the payment of costs and the form of pleading in the said Judges or such Courts respectively shall by any rules or orders by them to be from time to time made, order and direct.

V. And it is hereby enacted, that it shall be lawful for the parties in any action or information, after issue joined, by consent and by order of any of the Judges of the said Courts, to state the facts of the case, in the form of a special case, for the opinion of the Court, and to agree that a judgment shall be entered for the Plaintiff or Defendant, by confession or of nolle prosequi, immediately after the decision of the case, or otherwise as the Court may think fit; and judgment shall be entered accordingly.

VI. And it is hereby enacted, that the name of every witness objected to as incompetent on the ground that the judgment in the Action would be inadmissible in evidence for or against him shall at the trial be indorsed on the Record or Document on which the trial shall be had, together with the name of the party on whose behalf he was examined by some Officer of the Court, at the request of either party, and shall be afterwards entered on the record of the judgment; and such indorsement or entry shall be sufficient evidence that such witness was examined in any subsequent proceeding in which the judgment shall be offered in evidence.

VII. And it is hereby enacted, that every such Court as aforesaid on the trial of any issue, or on any inquiry of damages, may, if they shall think fit, give damages in the nature of interest, over and above the value of the goods in the time of the conversion or seizure, in all Actions of Trover or Trespass *de bonis non portatis*, and over and above the money recoverable in all actions on Policies of Assurance made after the passing of this Act.

VIII. And it is hereby enacted, in cases which would be governed by English Law, that it shall be lawful for the Executors or Administrators of any Lessor or Landlord to distrain upon the Lands demised for any term, or at will, for the arrears of rent due to such Lessor or Landlord in his life time, in like manner as such Lessor or Landlord might have done in his life time.

IX. And it is hereby enacted, that such arrears may be distrained for after the end or determination of such Term or Lease at will, in the same manner as such Term or Lease had not been ended or determined; provided that such distress be made within the space of six calendar months after the determination of such Term or Lease, and during the continuance of the possession of the Tenant from whom such arrears become due; provided also, that all and every the powers and provisions of Law relating to distress for rent shall be applicable to the distress so made as aforesaid.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India, after 15th day of October next.

T. H. MADDOCK,  
Secy. to the Govt. of Bengal.

**PORT WILLIAM,  
LEGISLATIVE DEPARTMENT,**

THE 19TH JULY, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 19th of July 1841.

Act No. — of 1841.

*An Act for appropriating the unclaimed Dividends on Insolvent Estates.*

I. Whereas pursuant to the Orders of the Court for the Relief of Insolvent Debtors, divers anns on account of unclaimed Dividends on Insolvent Estates have from time to time been paid by the Assignees of such Insolvent Estates into the hands of the Accountant General and Sub-Treasurer of the East India Company with the privity of the Accountant General of the said Insolvent Court, to the credit of the matter of such Insolvent Estates respectively;—and whereas it is expedient that in the event of the claim being established to any demand whereby any Dividends may accrue within a reasonable time, such Dividends should be divided among such of the Creditors of such Insolvent Estates as shall have established their claims against such Estates respectively.

It is therefore enacted, that it shall be lawful for the said Court of Insolvent Debtors in the event of no claim being established whereby the right to any Dividend has accrued or may thereafter accrue within six years after any Dividend shall have been so paid over, as aforesaid, to order the same to be repaid to such Assignees, to be by them divided among such of the Creditors of such Insolvent Estates as shall have established their claims against such Estates respectively. Provided that this Act shall not affect the right of any party to any future Dividends which may be declared in such Insolvent Estates respectively in the event of any such claim being afterwards established.

II. And it is hereby enacted, that no Dividend shall at any time be divided under this Act among such of the Creditors of any Insolvent Estate as shall have established their claims against such Estate, unless a Statement of unliquidated claims be previously published in manner following: One year at least before making any such division as aforesaid a Statement shall be published three times in the English language, and also in one or more native languages in the Official Gazettes of the respective Presidencies, which Statement shall contain the names of all parties in respect of whose claims Dividends are reserved, together with the amount of such claims respectively, and shall specify whether any former Dividend or Dividends have been received in respect thereof, and whether any proof shall have at any time been made of the debt whereby any Dividend may have accrued. Provided always that this Act shall not authorize the division of any Dividend except where no person shall at any time have substantiated any claim to the debt in respect of which such Dividend may have become due.

III. And be it enacted, that this Act shall not take effect until the first day of January 1842.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first Meeting of the Legislative Council of India after the 19th day of October next.

T. H. MADDOCK,

*Secy. to the Govt. of India.*

**PORT WILLIAM,  
LEGISLATIVE DEPARTMENT.**

THE 19TH JULY, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 19th July 1841.

Act No. — of 1841.

*An Act for amending the Rules of Special Appeals.*

I. It is hereby enacted, that Clauses 1, 2 and 4, Section 9, Regulation XXVI 1844—Section 7, Regulation XIX 1847—Sections 2, 3, 4, 5 and 6, Regulation IX 1849—Clause 1, Section 20, Regulation V 1851—and Section 5 of Act XXV of 1847 of the Bengal Code, be repealed.

II. And it is hereby enacted, that from and after the — day of — 1841, a second or special Appeal shall lie to the Courts of Sudder Dewanny Adawlat at Calcutta and Alahabad, respectively, from all decisions passed in regular Appeals, in any Civil Cases in the said Courts respectively.

III. And it is hereby enacted, that except in cases in which the petition relates to a decision passed in regular Appeal by a Zillah or City Judge, every application for the admission of a special or second Appeal shall be heard within the period limited for the admission of a regular Appeal, by the Judge of the Zillah or City within which the regular Appeal has been decided; and every application for the admission of a special or second Appeal against a decision passed in regular Appeal by a Zillah or City Judge, shall in like manner be heard by a single Judge of the Court of Sudder Dewanny Adawlat.

IV. And it is hereby enacted, that no special or second Appeal shall be admitted in any case, unless the Judgment Appealed Against, be inconsistent with some established judicial precedent, or involve some question of law, usage, or practice, upon which there may exist reasonable doubts.

V. And it is hereby enacted, that the Judge by whom such application for the admission of a second or special Appeal may be heard, shall call before him the Special Appellant or his Vakool or Agent, and shall, at his discretion, call for and peruse any document forming part of the record of the cause which he may deem proper, and shall by such other enquiries as he may consider necessary determine the point or points on which the Appeal is liable under this Act, to be specially tried by the Courts of Sudder Dewanny Adawlat; and shall reduce the said point or points to writing in the form of a certificate and shall transmit the same in the Vernacular language, together with an English translation thereof, attested by his official seal and signature, with the original petition for the admission of the second or special Appeal, and copies of the decrees passed in the case to the Register of the Courts of Sudder Dewanny Adawlat, to be tried by those Courts in due course; and it shall be lawful for the Judge to reject any such petition at his discretion, and his order so rejecting a petition for a special or second Appeal shall be final.

VI. And it is hereby enacted, that the Courts of Sudder Dewanny Adawlat shall in every case transmitted to or admitted by them, try and determine the point or points certified as above enacted, and no other point or part of the case whatever.

VII. And it is hereby enacted, that it shall be competent to the Courts of Sudder Dewanny Adawlat in any case in which the special ground of Appeal may appear to have been incorrectly or incompletely certified by a Zillah or City Judge, to return the certificate for amendment; or in cases in which it may appear to have been improperly transmitted to annul the certificate altogether, without requiring the attendance of the Special Appellant or his Vakool or Agent.

VIII. And it is hereby enacted, that nothing contained in this Act shall be construed to interfere with the authority vested in a single Judge of the Court of Sudder Dewanny Adawlat, or in a Zillah or City Judge under the provisions of Regulation IX. 1851 and Act VII of 1858 of issuing any injunction to the Lower Courts, for the revision of any case on the grounds, and in the manner laid down by that Regulation and Act.

IX. And it is hereby enacted, that nothing contained in this Act shall affect the trial of second or special Appeals which shall have been admitted and be pending in Appeal at the time of the passing of this Act, and that all such second or special Appeals shall be tried and decided in the same manner as if this Act had not passed.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the 19th day of September next.

T. H. MADDOCK,

*Secy. to the Govt. of India.*

No. 1860.

**PORT WILLIAM,  
POLITICAL DEPARTMENT,**

THE 30TH JUNE, 1841.

Lieutenant W. A. Haines, 2d Assistant to the Commissioner of Mysore, has obtained 18 months leave of absence, under Medical Certificate, to proceed to the Cape of Good Hope, to have effect from the date of his resignation from Mysore.

T. H. MADDOCK,

*Secy. to Govt. of India.*

No. 145.  
**FORT WILLIAM,  
 GENERAL DEPARTMENT,**

**THE 21st JULY, 1841.**

The Right Hon'ble the Governor General in Council is pleased to attach the Rev. R. M. Price, Assistant Chaplain, to the North Western Provinces.  
**G. A. BUSHBY,**

*Secy. to the Govt. of India.*

No. 266.  
**FORT WILLIAM,  
 GENERAL DEPARTMENT,**

**THE 21st JULY, 1841.**

The Rev. R. M. Price, reported his arrival on the Ship "Roberts" as an Assistant Chaplain on the Bengal Establishment, which Vessel reached Kedgeroe on the 18th instant.

**G. A. BUSHBY,**

*Secy. to the Govt. of Bengal.*

No. 287.  
**FORT WILLIAM,  
 ECCLESIASTICAL DEPARTMENT,**

**THE 27th JULY, 1841.**

Leave of absence for fifteen days has been granted to the Revd. E. Eason, Chaplain of Dinapore, by the Right Revd the Lord Bishop of Calcutta, to take effect from the 8th Proximo.

**G. A. BUSHBY,**

*Secy. to the Govt. of Bengal.*

**GENERAL ORDERS BY THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.**

**FORT WILLIAM, 21st July, 1841.**

No. 180 of 1841.—The Right Hon'ble the Governor General of India in Council is pleased to direct, that the undermentioned Act, No. XI. of 1841, for consolidating and amending the Regulations concerning Military Courts of Requests for Native Officers and Soldiers in the Service of the East India Company, passed in the Legislative Department on the 5th July 1841, be published in General Orders:

**ACT No. XI. of 1841.**

*An Act for consolidating and amending the Regulations concerning Military Courts of Requests for Native Officers and Soldiers in the Service of the East India Company.*

I. It is hereby enacted, that all Regulations and parts of Regulations concerning Military Courts of Requests are repealed; provided always that nothing in this Act contained shall be held to alter or affect the jurisdiction of a single Officer duly authorized and appointed under the Rules in force in the Madras and Bombay Presidencies for the trial of small suits in Military Bazaars or Cantonments and Stations occupied by the Troops of those Presidencies respectively, or the trial by Panchayet of suits against Military persons according to the Rules in force under the Madras Presidency.

II. And it is hereby enacted, subject to the aforesaid proviso, that within the territories of the East India Company actions of debt and other personal actions against Native Officers, Soldiers and other persons amenable to the Articles of War for the Native Forces in the Military Service of the East India Company, or residing within any Station or Cantonment, and carrying on any trade or business in a Military Bazar, shall be cognizable before a Military Court and not elsewhere, provided the value in question shall not exceed (200) two hundred Rupees, and the defendant was a person of the description above-mentioned, when the cause of action arose; and when the suit was instituted. Provided that no suit shall be brought before any Military Court under this Act to determine any dispute of caste or concerning any right to real property.

III. And it is hereby enacted, that the Commanding Officer of any Station or Cantonment, or Officer Commanding any party of Troops in the field, is authorized to convene such Military Courts. And such Courts shall be composed, according to the orders of the Commander in Chief for the time being of the Presidency within which the Station or Cantonment is situated, or in the absence of such orders according to the discretion of the Commanding Officer, whether of not less than three European

Commissioned Officers, or of not less than three Native Commissioned Officers, and in the latter case, with an European Officer of not less than five years' standing, to superintend and record the proceedings. Provided that if there be not a sufficient number of Officers to constitute a Court at the Station or Cantonment where any cause of action may arise, or where the defendant may be residing, the suit shall be determined at the nearest Station or Cantonment where a Military Court can be duly constituted as aforesaid.

IV. And it is hereby enacted, that such Military Courts shall be convened monthly, and shall be held on some convenient day before the issue of the pay for each month.

V. And it is hereby enacted, that the forms of proceeding in every such Court shall be conformable to the usages observed on trials before Courts Martial held for the Native Troops in the service of the East India Company as far as the same are applicable. And any such Court shall have the like power of summoning witnesses as is possessed by Courts Martial. Provided always, that every such Court shall have the power of examining the parties to any suit and of requiring or dispensing with their attendance at its discretion. And every such Court shall have the like power of taking the examination of absent parties and witnesses as is possessed by the Civil Courts of the East India Company, under Act No. VII. of 1841, provided that the depositions taken under a Commission issued by any Military Court of Requests shall be receivable in evidence before any such Court subsequently held; Provided also that Commissions may be issued by Military Courts of Requests under this Act pursuant to the provisions of No. VII. of 1841, notwithstanding the Courts to which the Commissions may be directed are not situated beyond the jurisdiction of such Military Courts.

VI. And it is hereby enacted, that witnesses omitting to attend, refusing to give evidence, or committing perjury, and persons suborning witnesses to commit perjury, shall be tried and punished, if amenable to Articles of War, by a Court Martial, subject to all the Rules contained in such Articles of War for the punishment of such offences in regard to trials for Military offences; and if not amenable to Articles of War, they may be tried and punished in the nearest of the Courts of the East India Company for the administration of Criminal Justice (whether such Court have ordinary jurisdiction over such person in Criminal matters or not) in like manner as if such offences had been committed in regard to any trial before such nearest Court.

VII. And it is hereby enacted, that any person, Civil or Military, European or Native, using menacing words, signs, or gestures, or otherwise interrupting (whether being personally present or not,) the proceedings of any Military Court of Requests shall be punishable, if amenable to Articles of War by a Court Martial, or if not amenable to Articles of War, in the nearest of the Courts of the East India Company for the administration of Criminal Justice (whether such Court have ordinary jurisdiction over such person in Criminal matters or not,) in like manner as if the offence had been committed in regard to any proceeding of the Court to which it is so referred.

VIII. And it is hereby enacted, that a record shall be kept of proceedings in every case tried before any Military Court of Requests. And such record shall contain the substance of the evidence given and the nature of such evidence as may have been rejected on the ground of its not being legally admissible, or relevant, or on other grounds, and the same shall be signed by the Members of the said Court. And such record or a copy thereof shall, with as little delay as is practicable, after the conclusion of the proceedings, be transmitted by the European President, or Superintending Officer of every such Court to the Officer Commanding the Station or Cantonment.

IX. And it is hereby enacted, that where a demand shall exceed the amount of (200) two hundred Rupees, or where several separate demands shall exceed such amount, no more shall be recoverable from any one defendant by the same plaintiff or plaintiffs than the sum of (200) two hundred Rupees, only; and the judgment in respect of any demand in a Court of Requests shall be a bar to the recovery of the same demand, or of any other or further demand for the same cause of action in any other Court, whether provided that the liability accrued before the trial of the suit, or after the trial of the suit, and it shall be recoverable in any such Military

Court to investigate any counterclaim alleged by any defendant. And it shall be competent for every such Military Court to allow the interest for money agreed on between the parties, provided the same does not exceed the usage of the country in ordinary money transactions. And every contract made after the passing of this act upon which a demand for debt exceeding (20) twenty Rupees is founded, not being money due for goods bought and delivered, shall be in writing and expressed in the language of the defendant and signed by him, or on his behalf by some other person than the plaintiff. Provided that it shall not be competent to any Court of Requests to admit any suit for a debt which has accrued upwards of six years, unless a direct promise to pay made within six years of the commencement of the suit be proved.

X. And it is hereby enacted, that on failure of either of the parties to a suit to attend either personally or by representative, or to produce his witnesses according as he shall be required by any Military Court of Requests, such Court on being satisfied that the party has been duly apprized of what is required of him, may proceed to the termination of the suit in his absence. And if the decree in any such case shall be against the plaintiff, it shall not be competent for him to commence a new suit for the same cause of action.

XI. And it is hereby enacted, that it shall be lawful for the Commanding Officer to whom the proceedings have been transmitted as aforesaid to return the same for revision either by the same or another Military Court of Requests. And in every such case the second decree shall be final, unless for error in points of law, when the same shall be transmitted to the Commander in Chief, who shall have power to annul the proceedings without prejudice to any future suit. Provided always that in the case of any new trial the Court may receive evidence which was not adduced at the first trial.

XII. And it is hereby enacted, that every plaintiff shall prefer his claim in writing and shall deliver the same to the Station Staff-Officer. The claims shall be entered in a Schedule by the Station Staff-Officer, which Schedule is to be sent to Adjutants of Corps or Heads of Departments two days at least before the assembly of the Court, and the Adjutants or Heads of Departments shall be responsible that the defendants belonging to their respective Corps or Establishments have been duly summoned.

XIII. And it is hereby enacted, that every decree of any Military Court of Requests shall be published in the Station Orders before the same is executed.

XIV. And it is hereby enacted, that the execution of decrees of Military Courts of Requests may be either general or special, according to the sentence of the Court. Provided always that the Commanding Officer may, notwithstanding the direction of the Court, order that the execution shall be general or special at his discretion.

XV. And it is hereby enacted, that in cases in which the execution is to be general, the debt if not paid forthwith, shall, under the authority of the Commanding Officer in writing to be signed by him, be levied by seizure and public sale of such of the Debtor's Goods (under which term are included houses or other erections within the limits of Stations and Cantonments) as may be found within the limits of the Station or Cantonment, or elsewhere; and if sufficient Goods are not to be found, the debtor, if not a Soldier, shall be arrested and imprisoned in any Civil Gaol near to the Station or Cantonment, (for which purpose the provisions of Act No. 11. of 1840 shall be applicable) or in any other convenient place of confinement situated within the limits of the Station or Cantonment, for the space of two months, unless the debt be sooner paid, and his Goods, if found within the limits of the Station or Cantonment or elsewhere, at any subsequent time, shall be liable to be seized and sold in satisfaction of the debt. And if the debtor be a Soldier and the debt be not liquidated by sale of his Effects, Accoutrements and Accessories excepted, an order may be issued for payment of the residue by monthly deductions from the pay issued to the debtor under the Rules which follow.

XVI. And it is hereby enacted, that where the execution is to be special, the debt shall be satisfied out of the pay and allowances of the debtor, and not otherwise. And a certificate of the decree and directions to be given thereon certified under the hand of the Commanding Officer and signed by him, shall be a sufficient authority for making such deductions. Provided always that no more than one half of the pay and allowances of any Commissioned Officer, or less than one half of the pay and allowances of any non-

Commissioned Officer or Soldier shall be stopped in any one month.

XVII. And it is hereby enacted, that in places beyond the Frontier of the Territories of the East India Company, actions of debt and other personal actions may be brought before such Military Courts as aforesaid against persons so amenable as aforesaid for any amount of demand: Provided that such Military Courts beyond the Frontier shall be composed of European Officers—and provided, that if the amount of claim shall exceed (200) two hundred Rupees, an appeal shall lie to the Court of Sudder Adawlut of the nearest Presidency according to the rules in force with regard to appeals from subordinate Civil Courts.

XVIII. And it is hereby enacted, that this Act shall not affect the proceedings upon any suit heretofore commenced in which shall be commenced before the Tenth day of August next.

(Signed) T. H. MADDOCK,  
Secy. to Govt. of India.  
J. STUART, Lt.-Col.,  
Secy. to the Govt. of India, Milly. Dept.

PORT WILLIAM, 26th July, 1841.

No. 181 of 1841.—The following Paras. of a Military Letter, No. 46, dated 27th May, 1841, from the Honorable the Court of Directors to the Governor of Bengal, are published for general information:

Para. 1. We have permitted the undermentioned Officers to return to their duty, viz.

Captain H. W. Lescoc,  
Lieut. C. E. Larkins,  
" R. C. Pennington,  
" G. F. Austen.

2. We have granted additional leave to the following Officers, viz.

Colonel Battine, C. B., to remain till August next.  
Captain Francis Thomas, till July next.

Lieut. R. E. T. Richardson, ..... 2 Months.  
Lieut. James F. Daniell, ..... }  
Asst. Surgeon E. J. Agnew, ..... } 6 Months.

J. STUART, Lt.-Col.,  
Secy. to the Govt. of India, Milly. Dept.

It is hereby notified that, unless ordered for particular Ships, all Letters received at the General Post Office between Monday the 19th July and Sunday the 25th July, both dates inclusive, were forwarded by the undermentioned Vessels, which sailed from Calcutta on dates specified:

Letters received on dates from and to.	By what Ships dispatched.	Bound to.	Remarks.
18th to 19th July, ...	City of Pootah, ...	London, ...	Left Town on the 22d inst.
19th to 20th ditto, ...	John Kent, ...	Liverpool, ...	Will sail in a day or two.
20th to 21st ditto, ...	Elizabeth, ...	Rangoon and Moolmein, ...	Left Town on the 21st inst.
21st to 22d ditto, ...	Romeo, ...	Cape of Good Hope, ...	Will sail on the 21st ditto.
22d to 23d ditto, ...	Mor, ...	Singapore and China, ...	Ditto 23d ditto.

Wm. MOORE, Deputy Post Master.  
Calcutta, General Post Office, the 27th July, 1841.

## STEAM NOTICE.

THE 1st of September next ensuing, having been fixed upon for the despatch of the next Steamer from Bombay, with an Overland Mail—Notice is hereby given, that the latest safe date, for the transmission of letters from Calcutta, which may be intended for conveyance by that opportunity, will be the 17th proximo.

H. S. OLDFIELD, *Offg. Post Master Genl.*  
*Fort William, Genl. Post Office,*  
 The 17th July, 1841.

## OVERLAND LETTERS AND POSTAGE.

IT is hereby notified for general information—

*First.*—That all Letters and Newspapers, except Soldiers' and Sailors' Letters, intended for transmission by the Overland Mails, and except those specially marked "via Falmouth," will be sent through France, and thus be subject to the heavier rate of postage.

*Second.*—Letters and Newspapers addressed to France as well as those to other foreign countries, with which France is the channel of communication (if the latter are expressly directed to be so sent) will be made up in Packets and sent to the French Post Master at Marseilles; but Letters for Foreign Countries, other than France, if not specially directed to France, will be included in the Packets for England. Letters, &c., for places lying between Bombay and Marseilles, will be despatched in separate Packets.

*Third.*—Letters for the United Kingdom of Great Britain, weighing less than a quarter of an ounce, and passing through France, are charged single postage, which by that route amounts to 2s. 6d. By the Falmouth route, Letters of half an ounce in weight, are subject to single postage only, which by that route, has now been reduced to 1s.

Newspapers, if sent via Falmouth, are free of postage; but if transmitted by the way of Marseilles, they are charged 3s. each.

H. S. OLDFIELD,  
*Offg. Post Master General.*  
*Fort William, Genl. Post Office, the 27th May, 1840.*

NOTICE.—The Public are hereby informed, under orders of Government, dated 29th January, 1839, that excavations, surrounded with fences, and having lights at night, are in progress in the undermentioned thoroughfares in the Town of Calcutta.

## Lower South Division.

Surface Drain, on the Southside of Middleton Street, is constructed

## Upper North Division.

Chitpore Road, West side, from opposite Dwarkapada Tagore's Lane to Churnuckdangah Street, Aqueduct to be built.

R. J. ROSE, *Offg. Supt. Conservancy.*

## NOTICE.

THE GENERAL TREASURY will be closed on Monday the 2d proximo on account of the Hindoo Holiday Rakhee Poorneemah.

W. H. OAKES Sub-Treasurer.

General Treasury the 23d July 1841.

ABKARRY.—Notice is hereby given, that from and after the 15th instant, Rum brought into Calcutta from Distilleries in the Suburbs will be subject to payment of Abkarry Tax at the ordinary consolidated rate of Eight Annas (Company's) per Gallon, instead of the Still-head Duty of Six Annas (Sicca) hitherto levied.

Parties desirous of bringing Rum into Calcutta under Bond, can be furnished with Instructions for so doing by application at this Office.

By Order of the Board of Customs, Salt and Opium, the 10th July, 1841,

H. TORRENS, *Secy.*

NOTICE is hereby given, that any hour before One o'Clock on Thursday, the 29th Instant, Sealed Tenders will be received in this Office for the undermentioned quantity of Salt, lying at the Govt. Golahs at Sulkea, after which the Board will fix a Price for the said Salt.

The Tenders will express in Company's Rupees the Price offered by the Tendering Parties per Hundred Maunds for the said Salt. The Tenders must be marked "Tenders for Mocha Salt," and must specify on the envelope the name of the Party tendering, or that of his Mooktear or Gomashita; and it is further provided, that no Tender shall be opened unless the Party tendering, or his Mooktear or Gomashita is present at the time fixed for opening such Tender, nor shall any Tender be considered valid unless accompanied by the sum of One Hundred Company's Rupees as Earnest Money, the same to be carried to the credit of the Party as payment for the Salt in case his Tender is accepted, or otherwise returned to him.

The Parties tendering to satisfy themselves as to the quality of the Salt by personal inspection of the Masters of the Golahs at Sulkea.

## DESCRIPTION OF THE SALT.

Agency.	Chant.	Year of Importation.	Quantity.
Mocha Salt, .....	Sulkea, .....	{ 1839-40, ..... 1840-41, .....	Mds. 912 0 " 390 0

By Order of the Board of Customs, Salt and Opium, the 24th July, 1841,

H. TORRENS, *Secretary.*

NOTICE is hereby given, that at any hour before One o'Clock on Thursday, the 5th Proximo, Sealed Tenders will be received in this Office, for the undermentioned quantity of Salt, lying at the Government Golahs at Sulkea, after which the Board will fix a Price for the said Salt.

The Tenders will express in Company's Rupees the price offered by the Tendering Parties per Hundred Maunds, for the said Salt. The Tenders must be marked "Tenders for Mr. Prinsep's Ballesghatta Pungah Salt," and must specify on the envelope the name of the Party tendering, or that of his Mooktear or Gomashita; and it is further provided, that no Tender shall be opened unless the Party tendering, or his Mooktear or Gomashita is present at the time fixed for opening such Tender, nor shall any Tender be considered valid unless accompanied by the sum of One Hundred Company's Rupees as Earnest Money, the same to be carried to the credit of the Party as payment for the Salt in case his Tender is accepted, or otherwise returned to him.

The Parties tendering to satisfy themselves as to the quality of the Salt, by personal inspection of the Masters of the Golahs at Sulkea.

## DESCRIPTION OF THE SALT.

Agency.	Chant.	Year of Manufacture.	Quantity.
24-Pergunah Ballesghatta Pungah Salt, .....	Sulkea, .....	1841, B. S. ....	Mds. 1,000 0

By Order of the Board of Customs, Salt and Opium, the 24th July, 1841,

H. TORRENS, *Secretary.*



*Court for the Relief of Insolvent Debtors at Calcutta.*

NOTICE is hereby given, that on Saturday, the 2d day of July, instant, on the hearing and examination of the Petitions and Schedules of the Insolvents hereinafter named, it was adjudged that they were entitled to the benefit of the Statute 9th Geo. IV. Cap. 73, that is to say, LOLLMOHUN MITTAL, of Simlah, in Calcutta, Sircar. POORUN SING, of Toolah Bazar, in Calcutta, Cloth Merchant.

JAMES DUSOUZA, of Mirzapore, in Calcutta, Printer and Bookseller, (except as to the debt to Mahomed Hussien and Goleum Hussien for the sum of Co's Rupees 200) who were not served with notices.

P. O'Hanlon, Examiner.

Office of Examiner, 28th July, 1841.

কলিকাতার কোর্টের কলসকারদের দিগের পরি  
জ্ঞাপন আদালত

এতদ্বারা ধর দেওয়া আইতেছে যে বর্তমান  
জুলাই মাসের ৩ শনিবার তারিখে জাহাঙ্গিরের  
আরজী ও বন্য পাওয়ার কলসকল নবান্বিত এবং  
তাহাজি করার নিচের নামিত নাতরানগরের  
এহার হুকুম হইল যে তাহার আশু হইলেন লভে  
আজি কোর্ট বাইদে বারবাইয়ের ১ বৎসরের  
একশীত আইনের ১০ ধারায়

নামমোহন মিট্র জিনি কলিকাতার নিমিনা বি  
বাসি সরকার

পূরন সিং জিনি কলিকাতার তুলাবাজার বি  
বাসি সওদাগর

জান ডিসউজা জিনি কলিকাতার মিরজাপুর বি  
বাসি হাণ্ডারান এবং বহিবিজরক (সেওয়ার  
মাহমুদ হোসেন এবং গোলাম হোসেনের বন্য  
কোংসিকা ২০০) জাহারা এহার ধরনের কার্য  
পারি নাই

P. O'Hanlon, Examiner.

একজামিনর সাহেবের আফিস

সন ১৮৪১ সাল ২৬ জুলাই

*Court for the Relief of Insolvent Debtors at Calcutta.*

In the matter of PERKA } On Saturday, the 2d day of  
FOSTER, of Huroutah } July, instant, it was Ordered,  
Gully, in Calcutta, Ship } that Saturday, the 2d day of Oc-  
Builder, an Insolvent. } tober next, be appointed for  
Hearing in this matter; and that the said Insolvent do  
then attend before the Court.

"Any Creditor or other person interested, who  
may intend to establish or oppose any claim upon the  
Estate of the said Insolvent, may attend and be heard at  
the Hearing, having given notice at the Office of the  
Chief Clerk three clear days before."

Office of Examiner, 22d July, 1841.

Messrs. Waddington and Goudes, Atties.

কলিকাতার কোর্টের কলসকারদের দিগের পরি

জ্ঞাপন আদালত

নাতরান মিট্র জাহার বর্তমান জুলাই মা  
সাহেবের বিবরণ জিনি কলি হার ৩ শনিবার তা  
কাতার হাফকাটা, গলি নি রিবে হুকুম হইল যে  
বাসি জাহার হানামিওহা আগতো জাহার  
জা... পরিদর্শন  
তারিখে এই বিবরণ বন্যার নিমিত্তে নিষ্পত্তি  
হইল এবং এই কলসকারের কলসারি এই জাহা  
সহে হাফকাটা হইল

কলি "কোন মহাজন কিয়া তথ্যে দস্তাভি  
রি ব্যক্তি জিনি ব্যক্তি হইলেন এই উক্ত নাতরান  
জাহারদের উপর আপত্তা করিতে তিনি এই বন্য  
নিয়মিত দিবসের পূর্বে পূর্বে তিন দিবস ব্যক্তি  
তে তিন কোর্টে সাহেবের আফিসে স... বাস দিলে  
তাহার আপত্তা নুনা হইবেক"

একজামিনর সাহেবের আফিস

সন ১৮৪১ সাল ২২ জুলাই

মেসার্স ওয়াডিংটন এবং স্যাণ্ডস উকিল

SHERIFF'S OFFICE, 2d JULY, 1841.

NOTICE is hereby given, that a Sessions of Oyer  
and Terminer and Gaol Delivery, and also an  
Admiralty Sessions, will be holden by the Supreme  
Court of Judicature at Fort William in Bengal, for the  
Town of Calcutta and Factory of Fort William, and  
the places subordinate thereto, at the Court House,  
in the said Town of Calcutta, on Monday, the Second  
day of August next, at 12 of the Clock at Noon.

W. C. BRADDON, Sheriff.

The Court will open on the first day of the Sessions,  
at 12 o'Clock at noon, and upon each succeeding  
day, precisely at 11 o'Clock in the forenoon, of which  
all persons are required to take notice.

W. C. BRADDON, Sheriff.

সরিশ আফিস ২ জুলাই ১৮৪১ সাল

সমাজের দেওয়া আইতেছে যে আগামী ২ জা  
গষ্ট ১৮৪১ সাল সোমবার দুই প্রহরের সময় মহর  
কলিকাতার কোর্ট উইলেনের এবং তাহার অধ  
পাতি যে সকল স্থান তথ্যে বন্যেনে কোর্ট উই  
লেনের সপ্রেম কোর্ট আপন আদালত দ্বারা ওর  
টরনির এবং এতমিরেলটী অর্থাৎ মহা সম্র  
গল্পকীয় মোকদমার বিজ্ঞতা জন্য এক সেশিয়ান  
অধোং মিট্র করিবেন

W. C. BRADDON, Sheriff.

এই সেশিয়ান জ্ঞো কাল পরোক্ত বসিবেন তা  
হার প্রথম দিন দুই প্রহরের সময় তাহার পর  
প্রতিদিন ১১ ঘটীর সময় বন্যেতে এবিধ  
সকল বরণ রাধুন

W. C. BRADDON, Sheriff.

NOTICE.

UNCOVENANTED SERVICE PENSION FAMILY  
FUND.

THE Fourth Annual General Meeting of Subscri-  
bers to the above Institution will be held in the  
Town Hall, on Tuesday, the 10th of August next, at  
10 o'Clock A. M., to receive the Report of the Direc-  
tors for the past year, and to consider such matters as  
may then be submitted.

By order of the Directors,

L. ANDREWS, Secretary.

These are the Family Pension Fund  
and the other matters, 1841

**NOTICE** is hereby given, that the Toll Ghat on the Matabangah will be removed from Raughat to Hanchallie, on the 1st proximo, as sanctioned by Government.

Wm. M. SMYTH, Capt.  
Supt. Nuddeah Rivers.

**NOTICE.**

**MIRZAPORE STONE MEHAL.**

**T**HE following agreement, signed by Mr. T. Menzies, Theekadar of the duties of the Mirzapore Stone Mehal, is published for general information.

By order of the Sudder Board of Revenue N. W. P.  
(Signed) H. M. ELLIOT,

Secretary.

Allahabad, 1st July, 1841.

Having taken a Lease of the duty levied on Stones at the Quarries of Chunar and Mirzapore, I hereby consent to abide by the conditions hereinafter set forth.

1st. That which is leased to me is the right to collect the duty on Stones before they are removed from the Quarries according to the provisions of Regulation II. of 1800.

2nd. I will not interrupt any person in the exercise of the right reserved to the public, of freely quarrying Stones, as set forth by the Regulation.

3rd. I will keep constantly suspended in my Office and in that of any Agent whom I may employ, and in a conspicuous place in each Quarry, a table of the rate of duty leviable on Stones, according to Clauses 2 and 3, Section 3, of Regulation II. of 1800, written in a legible hand in the Persian and Hindoo characters. I will also keep suspended in all the above places any Table which may be furnished me by the Collector, of the amount of duty on Stones according to their sizes.

4th. On receipt of an order to that effect from the Collector, I will immediately remove any Chokees to which that Officer shall object. I am at liberty to place such and so many Chokees as I may think fit wherever the Collector may not object.

5th. I will not obstruct the free passage of Stones beyond or without the circle of Chokees, and will not make any demand on Stones in transit beyond those limits.

6th. An application made to me in writing by a person to remove Stones from the Quarry, I will, within 24 hours, adjust the demand of duty, and on tender of the amount, furnish a Rowanah to the applicant.

7th. If any dispute should arise about the amount of duty leviable on any despatch, I will abide by the order of the Collector.

8th. If I should detain any despatch on suspicion of smuggling, I will, within 24 hours, report the same to the Collector and be guided by his orders, as to the detention or release of that despatch.

9th. If I should break any of these conditions, the Collector is at liberty to annul my lease and make such provision for the collection of the Government duties on Stones as he may judge proper.

In witness whereof I have hereunto set my hand this Ninth day of June, 1841.

In the presence of

(Sd.) J. WALKER,

Dy. Collr.

" J. HOLLAND,

Head Clerk

(Signed) Thos. Menzies.

Signed and executed by Mr. T. Menzies this day,

9th June, 1841, Mirza-

poor Collectorship.

(Signed) W. E. Menzies, Acting Collector.

(True Copy.)

(Signed) H. M. Elliot, Secretary.

**NOTICE.**

**A** REWARD of 200 Rupees will be given to any person procuring the apprehension of Issur-chunder Banerjee, an inhabitant of Jumnah, in Calcutta, and late a Paragah, of Ghaut Monehuggah, in the Salt Agency of St. Petersburg.

**BENGAL CIVIL FUND.**

**NOTICE.**—A Half Yearly General Meeting of the Subscribers to the Bengal Civil Fund, will be held at the Town Hall, on Saturday, the 31st of July next, at 11 A. M., for the purpose of passing the Accounts of the past year, and for the consideration of any other matters that may be submitted.

By order of the Managers,

H. V. BAYLEY, Hony. Secy.

C. F. O., the 1st June, 1841.

**NOTICE.**

**T**HE First Half of a Bank of Bengal Note, No. 31407, for Co.'s Rs. 100 (one hundred) having been lost, the property of Collychurn Shaw; the payment of which has been stopped at the Bank.

**BANK OF BENGAL,**

15TH JULY, 1841.

**NOTICE** is hereby given, that agreeably to the XXXVI. Section of the Charter, Act No. VI. of 1839, the Annual General Meeting of Proprietors of the Bank of Bengal, will be held at the Bank on Tuesday, the 3d Proximo, (Monday, the 2d Proximo, being a holiday) at 11 A. M.

Published by Order of the Directors,

T. BRACKEN, Secy. to the Bank.

**STEAM NOTICE.**



The JELLINGHEE, in tow of the HOORUNGOTTA, Steam Vessel, for Allahabad, left Calcutta on the 22d July, and will probably leave Allahabad on the 15th August, on her return to Calcutta.

By Order of the Marine Board,

(Signed) J. H. JOHNSTON,

Controller of Govt. Steam Vessels.

Steam Department, the 24th July, 1841.

**STEAM NOTICE.**



The SOORMA, in tow of the THAMES, Steam Vessel, for Allahabad, will leave Calcutta on the 5th August, and will probably leave Allahabad on the 30th Idem, on her return to Calcutta.

By Order of the Marine Board,

(Signed) J. H. JOHNSTON,

Controller of Govt. Steam Vessels.

Steam Department, the 24th July, 1841.

**STEAM NOTICE.**



The MATABANGA, in tow of the MEGNA, Steam Vessel, for Allahabad, will leave Calcutta on the 30th July, and will probably leave Allahabad on the 24th August, on her return to Calcutta.

By Order of the Marine Board,

(Signed) J. H. JOHNSTON,

Controller of Govt. Steam Vessels.

Steam Department, the 24th July, 1841.

# **SECOND LOTTERY of 1841, for the Improvement of the City of Calcutta.**

*Eighth Day's Drawing; Tuesday July 27, 1841.*

## **PRIZES.**

No. 2645 Prize of 1,000 Co.'s Rupees.  
Nos. 1009 29 and 226 Prizes of 500 Co.'s Rupees each.  
Nos. 2113 3716 4395 4317 1306 and 754 Prizes of 250 Co.'s Rupees each.  
Nos. 1882 2197 1020 470 701 8142 3789 410 3480 3099 2456 3260 and 1696 Prizes of 120 Co.'s Rupees each.

## **BLANKS.**

2603 157 272 1414 3053 2406 1030 3096 301 4768  
2568 2706 3701 2451 1966 1457 702 2278 1087 2473  
1965 856 4596 4775 2134 1071 4256 550 121 441  
1712 1548 3207 1693 3877 3651 4793 1074 1714 220  
3245 2185 2878 1192 1419 1202 1218 4041 4630 807  
3983 3174 901 2709 4349 151 2793 2731 3560 4512  
4631 948 129 3907 3757 2512 1240 1625 239 3290  
3011 3631 591 2262 1903 443 1822 208 2206 1255  
3561 2953 1888 4086 2466 3000 2387 1930 4559 4728  
3651 3564 3946 4679 3380 4245 1240 1468 4718 3615  
4137 3024 2683 3172 1204 326 912 2122 412 3069  
466 2768 1257 2271 2836 1892 852 4215 3570 4481  
4737 3092 4425 1182 3241 4703 1720 1373 2989 3557  
798 4189 3433 1492 3396 618 1142 2782 2982 1708  
4696 1663 4685 4740 4765 2914 2532 1664 1027 2442  
369 2810 633 4619 52 1851 3266 4055 2028 2839  
1077 2865 935 2648 2877 3276 3312 570 2723 4575  
4515 3005 4451 4401 4851 627 1834 2186 218 802  
3341 1788 3870 3586 3910 1994 4470 1172 2927 3779  
2519 2296 270 4177 1487 4715 3748 256 1826 2792  
347 1869 2485 1510 4850 3869 2687 57 4539 22  
1165 3791 1207 3680 455 630 2342 3391 232 2480  
4195 4275 4021 1348 572 3117 3492 1007 2376 3026  
1530 3114 3580 1111 102 3443 71 4281 2777 44  
2956 3005 3006 2438 2910 421 1651 1923 1366 4281  
4080 684 2225 3494 2583 3217 4838 3700 2485 3711  
1901 3950 2969 2213 3844 1470 4404 3852 1597 342  
4626 176 2451 563 4796 2808 180 3138 521 2411  
2516 307 1959 762 1669 1507 4599 6 280 2779  
640 2580 3154 1603 416 574 775 4938 2043 2084  
3706 634 2908 1292 697 2743 914 3370 1505 1986  
1934 27 2681 2347 1272 266 1636 2194 3106 3047  
341 3743 2786 4737 3838 2626 479 1099 1539 1900  
399 3165 4124 4011 2801 947 3003 1256 339 527  
3213 3046 917 4002 4673 11 705 1984 319 4791  
4477 346 1987 3194 4286 3765 3544 3446 1237 2544  
4546 2765 4653 3502 2233 3606 2656 2732 90 4732  
1416 968 469 941 4551 861 4037 4709 3119 1862  
4572 3280 3426 032 906 179 199 3018 1032 880  
4497 2130 4719 673 3028 4969 038 8 3443 154  
3455 782 3080 4435 4209 3983 1857 4304 2421 3093  
3083 3808 4407 1573 2580 918 4671 1448 442 1926  
4725 249 1941 295 2188 3270 2023 1143 674 1711  
904 2614 4781 2560 26 1467 1643 608 113 957  
4566 4471 3839 3169 2968 3586 2001 487 3826 4106  
195 228 3600 2970 3247 1388 565 4315 4507 3371  
438 4538 567 2801 3254 72 1520 3430 181 582  
1660 3813 4140 750 3081 4160 865 3928 1803 3490  
2879 2617 4788 781 187 4403 1553 3879 847 378  
903 3909 97 2292 887 3264 1945 4378 316 3594  
4779 3295 4792 274 2314 653 191 4188 1415 2368  
4003 4303 518 2199 3130 3747 781 3926 1713 111  
70 686 4093 1294 1471 659 1818 4258 1614 3520  
2126 1821 2614 1119 267 3528 3739 2298 452 2771  
2224 982 2201 4823 3086 2300 2036 1393 971 92  
981 1546 4334 2089 4713 3263 3644 4021 1171 2168  
3939 525 4543 4473 768 3833 2015 2860 1798 2502  
3903 4295 1531 3321 1860 2842 1125 626 3487 3627  
348 1557 4196 1003 3218 4772 1297 1227 1519 3025  
4761 2327 2727 2066 4036 4083 2788 4502 4072 2349  
2964 610 3085 472 3719 859 3918 2959 3364 2226  
252 3894 4040 1945 3986 2929 399 4015 4701 3763  
799 3631 3008 1578 2326 4755

**J. F. HYDE**

*Secy. to the Lottery Committee.*

**CUTTACK, JULY 27, 1841.**

The Ninth Day's Drawing will take place at the Town Hall, on Thursday, the 7th proximo, precisely at half past 5 o'clock. Prizes to be held for the last 5 days, in the Office of the Lottery Office, at 250 Rs. each.

## **MEMORANDUM.**

The Ball dropped this day Half a Second (½s.) after mean noon.

(Signed) V. L. REES,

*In charge of the Observatory.*

**SURVEYOR GENERAL'S OFFICE,**  
*Calcutta, 26th July, 1841.*

**WITH** the Sanction of Government, the following Advertisement is published for general information.

By Order of the General Management,

**JOHN McQUEEN, Secy. M. O. S.**

*Orphan Society's Office, Kidderpore, }  
5th March, 1839. }*

## **ADVERTISEMENT.**

It being understood that Public Officers, in ignorance of the existence and nature of the Orphan Press Contract with Government, occasionally employ other Presses to the prejudice of the Orphan Institution, the General Management deem it expedient to publish, for general information, the following extract of a Letter from Mr. Secretary Prinsep, shewing that the Orphan Press has the exclusive privilege of Printing for Government

"I am directed to acknowledge the receipt of your letter of the 6th instant, and in reply to state that it is by no means the intention of the Government to withdraw any part of its printing business from the Orphan School Establishment, or to allow Public Officers to give a preference to other Presses. On the contrary, the Vice President in Council has declared his readiness to enquire into every case in which other Establishments may be employed to the prejudice of the interests of the Orphan School, whenever such may fall under his notice or be made the subject of representation.

(Signed) **H. T. PRINSEP,**

*Secy. to Government Genl. Dept.*

*Council Chamber, 7th August, 1832."*

## **Just Published,**

*And for Sale at the Bengal Military Orphan Press,*

- Reports of Cases in the Court of Nizamut Adawlut, Part 2 of Vol. 5, containing Reports from 1835 to 1840 inclusive, Royal 8vo., ..... Rs. 8
- Reports of the Sudder Board of Revenue, regarding the Survey and Settlement of the Land Revenue in the N. W. Provinces, Demy 4to. .... 4
- Circular Orders passed by the Sudder Dowanny Adawlut, Part 3 of Vol. 3, from Jany. 6 to Decr. 18, 1840, with an Index to Parts 1, 2, & 3, or from the end of 1837 to the end of 1840, ..... 6
- Circular Orders passed by the Nizamut Adawlut, Part 3 of Vol. 3, from Jany. 6 to Decr. 26, 1840, with an Index from the end of 1837 to the end of 1840, ..... 4
- Minutes on the Coolay Question, by J. P. Grant, Esq., Auck-esp folio, pp. 75, ..... 3

**G. H. RUTTMANN,**

*July 15th, 1841.*

*Sept.*

**NOTICE of Public Sale.** In satisfaction of a Decree of the Civil Court, (unless intermediately liquidated) at the Collector's Office, Zillah Cuttack, on Saturday, the 7th August, 1841, corresponding with 25th Srabun 1248 B.

Name of Estate to be sold, and Pergunnah in which it is situated and No. of Lot in Collector's Sale Advertisement.	Recorded Proprietor.	Amount Sudder Jumma.	Amount of Decree in satisfaction of which it is now to be Sold.	Name of Plaintiff.	Remarks.
No. 1, Killa Durpun, {	Raja Shaik Ukkur Hossain, {	7310 10 2	10841 9 7	Doorgapersad Pundit deceased, Uncle and Master of Gopernath Pundit minor, adopted Son of Mahatab Rai Pundit.	This is a very profitable Estate — Produces Raddy, Gram, Tobacco, Sugar Cane, &c., and offers a most desirable Investment for Capital.

Zh. Cuttack, Collr's. Office, the 5th July 1841.

E. E.

G. G. MACKINTOSH, Offg. Collr.

### TOXICOLOGICAL CHART,

Price 1 Rupee,

Exhibiting at one view the Symptoms, Treatment, and Modes of Detecting

**The various Poisons,**

**MINERAL, VEGETABLE, AND ANIMAL;**

To which are added concise directions for the treatment of suspended Animation.

### A PRACTICAL TREATISE

ON

**Strengthening and Defending Outposts, Villages, Houses, Bridges, &c.**

In reference to the duties of Officers in Command of Picquets, as laid down in the Field Exercise and Evolutions of the Army.

**By J. JEBB,**

*Captain in the Corps of Engineers.*

Demy 8vo. Boards. Price 4 Rs. being a Reprint of the London Edition of 1839, with 16 Lithograph Sketches.

**This-Day ■ Published.**

(Demy 8vo. Price 3 Rs. Cash.)

**THE NEW MUTINY ACT,**

AND

**ARTICLES OF WAR,**

**FOR THE COMPANY'S ARMY.**

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Subscribers' names are received by Mr. Huttmann, ■ the Orphan Press, Calcutta. The Books ■ be paid for on delivery.

Feb'y. 27th, 1841.

For Sale at the Bengal Military Orphan Press,

### DR. TAYLOR'S TOPOGRAPHY

AND

**STATISTICS OF DACCA,**

With Map, Royal 8vo. pp. 378, Cloth Boards,

Price 10 Rupees.

### Sleeman's 2d Report on Thuggee.

**This-day is published,**

And for Sale, for the benefit of the Orphan Press, (Demy 8vo. pp. 660—Price 10 Rs.)

**REPORT**

**ON THE DEPREDACTIONS**

COMMITTED BY

**The Thug Ganga**

OF

**Upper and Central India,**

FROM THE

Cold Season of 1836-37, down to their gradual suppression, under the operation of the measures adopted against them by the

**BRITISH GOVERNMENT IN 1839.**

With a Preface, Introduction, voluminous Index, and large coloured Map of that portion of the Kingdom of Oude most infested with Thugs.

**By MAJOR SLEEMAN,**

*Commissioner for the Suppression of Thuggery and Dacoities*

**G. H. HUTTMANN,**

*Supt. Orphan Press.*

March 10th, 1841.



SUPPLEMENT TO

# The Calcutta Gazette.

Published by Authority.

WEDNESDAY, JULY 23, 1841.

FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,

THE 19TH JULY, 1841.

The following Act passed by the Right Hon'ble the Governor General of India in Council on the 19th of July 1841, is hereby promulgated for general information.

ACT No. XII. of 1841.

*An Act for amending the Bengal Code in regard to Sales of Land for Arrears of Revenue.*

*Preamble.*

I Whereas it is deemed expedient with a view to the benefit of the Agricultural Community, to regulate the number of periodical sales of Estates for arrears of Revenue; to discontinue the levy of interest and penalty upon such arrears; to provide for the sale at fixed and known periods of Mehals, the whole of the Land Revenue due from which may not have been discharged on or by appointed days; and otherwise to amend the laws for the realization of the Land Revenue;—

It is hereby enacted, that Sec. 2, Reg. XIV. 1793; Sec. 2, Reg. III. 1794, Reg. XI. 1822, except Sections 36 and 38, and Reg. VII. 1830 are rescinded; except in so far as they rescind other Regulations or parts of Regulations.

II. And it is hereby enacted, that there shall be no demand of interest or penalty upon any arrear of Land Revenue which shall fall due after the date specified in Section XXXV. of this Act.

III. And it is hereby enacted, that upon the promulgation of this Act the Sudder Board of Revenue at Calcutta, shall determine with regard to each permanently settled District or Zillah under their jurisdiction, the fixed dates in each year on which shall be commenced the process for realizing by sale of Mehals the arrears of Land Revenue due thereupon. And the said Board shall give notice of the dates so fixed in the Calcutta Gazette; and shall direct corresponding publication to be made, as far as regards each District, in the language of that District, in the Office of the Collector, or other Officer duly authorized to hold sales under this Act, and in the Courts of the Judge, Magistrate, Principal Sudder Ameen, Sudder Ameen, and Sudder Moonsiff; and the days so fixed shall not be changed until the same be changed by the said Board by advertisement and notifications in the manner above described; such advertisements and notifications to be issued, on every occasion after the first above provided for, at least three months before the close of the official year preceding that in which the new date or dates are to take effect. Provided always, that another notice shall also be given for a period of not less than 14 clear days previous to each fixed date of sale by advertisement to be stuck up in each of the forenamed Offices and Courts, and the Collector shall be bound to furnish during this interval to all enquirers full particulars as to what estates are in arrears, and the amounts due on each.

*Exception in unsettled Provinces and Benares.*

IV. And it is hereby enacted, that in Districts not permanently settled, and in the Province of Benares, no sale shall take place for arrears of Land Revenue or other demand of Government without the special sanction of the Sudder Board of Revenue previously obtained in each several case of sale.

*Definition of an Arrear.* V. And it is hereby enacted, that if the whole or a portion of a kist or instalment of any month of the year, according to which the settlement and kistbandee of any Mehul have been regulated be unpaid on the first of the following month of such year, the sum so remaining unpaid shall be considered an arrear of Revenue.

*All Estates in arrear to be sold.*

VI. And it is hereby enacted, that except as hereinafter excepted, all Estates from which at any set of the day preceding that fixed for a sale an arrear of Revenue may be due, shall on the said fixed day, or on the day or days following as hereinafter provided, be put up to public auction by and in the presence of the Collector or other Officer authorized by Government to exercise the powers of Collector in that behalf, and shall be sold to the highest bidder; and no payment or tender of payment made subsequent to sunset of the day preceding that fixed for a sale shall bar or interfere with the sale either at or after its conclusion.

*Claims to abatement and set off.*

VII. And it is hereby enacted, that no claim of abatement or remission of Revenue unless the same shall have been allowed by the authority of Government, nor any private demand or cause of action whatever held or supposed to be held by any defaulter against Government: shall bar a sale, or render a sale under this Act void or voidable; nor shall the plea that money belonging to the defaulter, and sufficient to pay the balance or part of it, was in the Collector's hands, bar a sale or render a sale under this Act void or voidable, unless such money stand in the defaulter's name alone and without dispute, and unless after application in due time made by the defaulter, the Collector shall have neglected, or refused on insufficient grounds, to transfer it to the credit of the estate.

*Exceptions.*

VIII. Provided always, and it is hereby enacted, that no estate shall be sold for the recovery of arrears or demands of the description mentioned below, otherwise than after a notification in the language of the District, specifying the nature and amount of the arrear or demand, shall have been affixed, for a period of not less than fifteen clear days preceding the day of sale, in the Office of the Collector, or other Officer as aforesaid, by whom the sale is intended to be made, in the Court of the Judge within whose jurisdiction the land advertised lies, in the Courts of all the Principal Sudder Ameen, Sudder Ameen and Moonsiffs of the District, and at the Police Thanaah of the Division in which the estate to which the notice relates, or part of it is situated, the same to be certified by the receipt of the Officer whose Office such publication may have been made; and also at the Cutcherry of the Malguzer of the estate, or at some conspicuous place upon the estate, the same to be certified by



the person or other person employed for the purpose. And it shall be declared in the said notification that no payment or tender of payment of the arrears or demand due, which may be made after sunset of the day preceding the fixed day of sale, will bar or interfere with the sale either at or after the transaction.

*First.*—Arrears due from or to be recovered by the sale of estates not permanently settled.

*Secondly.*—Arrears other than those of the current or of the preceding year.

*Thirdly.*—Arrears due on account of estates other than that to be sold.

*Fourthly.*—Arrears of estates under attachment by order of the Judicial Authorities.

*Fifthly.*—Arrears due on account of Tuccavy, Poolbunder, or other demands not being Land Revenue, but recoverable by the same process as arrears of Land Revenue.

*Payments by non-proprietors.* IX. And it is hereby enacted, that Collectors shall, at any time before sunset of the day preceding

the fixed day of sale receive as a deposit from any party not being a proprietor of the estate in arrear, the amount of the arrear of Revenue due from it, to be carried to the credit of the said estate at sunset as aforesaid, unless before that time the arrear shall have been liquidated by a proprietor of the estate. And in case the party so depositing, whose money shall have been credited to the estate in the manner aforesaid, shall be a plaintiff in a suit pending before a Court of Justice for the possession of the same or any part thereof, it shall be competent to the Judge of the Zillah in which such estate is situated, to order the said party to be put into temporary possession of the said estate, subject to the rules in force for taking security in the cases of appellants and defendants. And if the party depositing whose money shall have been credited as aforesaid shall prove before a competent Civil Court that the deposit was made in order to protect an interest of the said party, which would have been endangered, or damaged by the sale of the estate, he shall be entitled to recover the amount of the deposit with interest, from the proprietors of the said estate.

X. And it is hereby enacted, that no estate shall be liable to sale for the recovery of arrears which have accrued during the period of its being under the management of the Court of Wards; and no estate, the sole property of a minor or minors, and descended to him or them by the regular course of inheritance

*Ward's Estates and Minor's.* duly notified to the Collector for the information of the Court of Wards, but of which the Court of Wards has not assumed the management under Regulation VI. 1822, shall be sold for arrears of Revenue accruing subsequently to his or their succession to the same, until the minor or minors, or one of them, shall have attained the full age of 18 years. And no estate held under attachment by the Revenue Authorities, otherwise than by order of a Judicial Authority, shall be liable to sale for arrears accruing whilst it was so held under attachment. And no estate held under attachment by a Revenue Officer, in pursuance of an order of a Judicial Authority, shall be liable to sale for the recovery of arrears of Revenue accruing during the period of such attachment, until after the end of the year in which such arrears accrued.

*Attached by a Revenue Officer.* XI. And it is hereby enacted, that it shall be competent to the Collector at any time before the sale of an estate shall have commenced to exempt such estate from sale; and in like manner it shall be competent to the Commissioner of Revenue at any time before the sale of an estate shall have commenced, to exempt such estate from sale, by a special order to the Collector to that effect in each case; and no sale of an estate shall be legal if held after the receipt of an order of exemption in respect to such estate. Provided, however, and it is hereby enacted, that the Collector or Commissioner shall duly record in a proceeding the reasons for granting such exemption; and provided also, that an order for exemption so issued by the Commissioner shall not affect the legality of a sale which may have taken place before the receipt by the Collector of the order for exempting it from sale.

*Attached by a Court.* XII. And it is hereby enacted, that sales shall ordinarily be made by the Collector or other Officer duly authorized by Government in that behalf in the Land Revenue Cutcherry at the Sadar Station of the District, provided,

however, that it shall be competent to the Sadar Board to prescribe a place for holding sales other than such Cutcherry whenever they shall consider it beneficial to the parties concerned.

XIII. And it is hereby enacted, that in case the Collector, or other Officer as aforesaid, shall be

*Adjournment.* unable from sickness, from the occurrence of a holiday, or from any other cause to commence the sale on the day of sale fixed as aforesaid, or if, having commenced it, he be unable, from any cause, to complete it, he shall be competent to adjourn it to the next day following, not being Sunday or other close holiday, recording his reasons for such adjournment, forwarding a copy of such record to the Commissioner of Revenue, and announcing the adjournment by a written proclamation stuck up in his Cutcherry; and so on, from day to day, until he shall be able to commence upon, or to complete the sale; but with the exception of adjournments so made, recorded, and reported, each sale shall invariably be made on the day of sale fixed in the manner aforesaid.

XIV. And it is hereby enacted, that on the day of sale fixed according to Section III. of this Act, sales shall proceed in regular order; the estate to be sold bearing the lowest number on the Taxjee or registers in use in the Collector's Office of the District being put up first, and so on, in regular sequence; and it shall not be lawful for the Collector or other Officer as aforesaid to put up any estate out of its regular order by number.

XV. And it is hereby enacted, that the party who shall be declared the purchaser of an estate at any such public sale as aforesaid, shall

*Deposit on purchase.* be required to deposit immediately, or as soon after the conclusion of the sale as the Collector may think necessary, either in Cash, Bank of Bengal Notes or Post Bills, or Government Securities duly indorsed, 25 per cent. on the amount of his bid, and in default of such deposit, the estate shall, forthwith, be put up again and sold.

XVI. And it is hereby enacted, that the full amount of purchase money shall be made good by the purchaser before sunset of the thirtieth

*Balance of purchase money.* day from that on which the sale of the estate bought by him took place, reckoning that day as one of the thirty; or if the thirtieth day be a Sunday or other close holiday, then on the first office day after the thirtieth; and in default of payment within the prescribed period as aforesaid, then and afterwards as often as such default shall occur, the deposit shall be forfeited to Government, the estate shall be resold, and the defaulting purchaser shall forfeit all claim to the estate, or to any part of the sum for which it may subsequently be sold, and in the event of the proceeds of the sale which may be eventually consummated being less than the price bid by the defaulting bidder aforesaid, the difference shall be leviable from him by any process authorized for realizing an arrear of public Revenue, and it shall be so levied and credited to the defaulting proprietor of the estate sold, and if default of payment of purchase money shall have occurred more than once, the defaulting bidders shall be held jointly and severally responsible for such difference to the extent of the amount of their respective bids. Provided always, that every such re-sale shall be made after notification and in the forms prescribed by Section VIII. of this Act.

XVII. And it is hereby enacted, that whenever an estate shall have been sold as aforesaid, the Collector, or other Officer as aforesaid, shall

*Rents stopped after notice for sale.* affix a proclamation in the language of the District in his Cutcherry; and as soon thereafter, as may be in the Cutcheries of the Moonsiffs and of the Darogahs of Police, within whose jurisdiction or jurisdictions any part of such estate may be situated; and also at the Cutcherry of the Malgoosar of such estate; or on some conspicuous place on such estate, forbidding the ryots and under-tenants of such estate to pay rent falling due subsequent to the date therein specified and up to the date of the subsequent notice hereinafter prescribed by Section XXI. of this Act, on pain of not being entitled to credit in their accounts with the purchaser for any sums paid within the period aforesaid.

XVIII. And it is hereby enacted, that it shall be lawful for the Commissioner of Revenue to receive an appeal against any sale made under this Act if preferred to him on or before the fifteenth day from the date of sale, reckoning as in Section XVI., or if preferred to the Collector for transmission to the Commissioner on or before the tenth day from the day of sale, and not other-

when: and the Commissioner shall be competent in every case of appeal so preferred, to annul any sale of an estate made under this Act, which shall appear to him not to have been conducted according to the provisions of this Act, awarding at the same time to the purchaser a payment from the proprietor of any moderate compensation, for his loss, if the sale shall have been occasioned by neglect of the proprietor, such compensation not to exceed interest, at the current rate of Government Securities, on the amount of deposit or balance of purchase money during the period of its being retained in the Collector's Office, and the order of the Commissioner shall, in such cases, be final.

**XIX.** And it is hereby enacted, Government may that it shall be competent to the Collector or other Officer as aforesaid, to suspend the passing of final orders in any case of appeal from a sale and to represent the case to the Sudder Board of Revenue, who, if they see cause, may recommend to the Local Government to annul the sale; and the Local Government in any such case, may annul the sale and cause the estate to be returned to the proprietor on such conditions as may appear equitable and proper.

**XX.** And it is hereby enacted, Sale when to be final. that all sales of which the purchase money has been paid up as prescribed in Section XVI. of this Act, and against which no appeal shall have been preferred, shall be final and conclusive at noon of the thirtieth day from the day of sale, reckoning the said day of sale, as the first of the said thirty days. And sales against which an appeal may have been preferred, and the appeal dismissed by the Commissioner, shall be final and conclusive from the date of such dismissal, if more than thirty days from the day of sale, or if less, then at noon of the thirtieth day as above provided.

**XXI.** And it is hereby enacted, Certificate of Title. that immediately upon a sale becoming final and conclusive, the Collector or other Officer as aforesaid, shall give to the purchaser a Certificate of title in the following form:

I certify that A. B. has purchased at Public Auction under Act XII. of 1841, Mohal C, and that his purchase has taken effect on and since the — day of — (being the date of sale.)

(Signed) D. E., Collector.

And the said certificate shall be deemed in any Court of Justice sufficient evidence of the title to the estate sold being vested in the person or persons named from the date specified: and the Collector shall also notify such transfer by written proclamation in his own Cutcherry, and in those of the Moonsiff and Darogah of the jurisdictions within which any part of the estate sold shall be situated, and also at the Cutcherry of the Malgoosar of the estate or on some conspicuous place on the Estate; and shall apply the purchase money first to the liquidation of all arrears due upon the day of sale, or upon the day of the original sale, if the sale finally consummated be a resale; and secondly, to the liquidation of all outstanding demands debited to the Mohal in the Public accounts of the district, holding the residue, if any, in deposit on account of the late recorded proprietor or proprietors of the estate sold, to be paid to their receipt on demand in the manner following: to wit, in shares proportioned in their recorded interest in the estate sold, if such distinction of shares were recorded, or if not, then as an aggregate sum to the whole body of proprietors upon their joint receipt. Provided that, if prior to payment of any surplus that may remain of the purchase money after liquidation of all Government arrears and dues to the proprietor of the estate sold, or his representative, the same be claimed by creditors in satisfaction of debts due by him to them, or by any one creditor, such surplus shall not be payable to any such claimant, nor shall it be withheld from the proprietor by attachment, except under precept, and in satisfaction of Decree of Court for such debts. And if the balance of purchase money have in any such case been paid away in liquidation of the proprietor's just debts by order of Court, and a Decree shall afterwards pass for annulling the sale, the proprietor shall not be restored to possession until the amount so paid away be returned by him with interest.

**XXII.** And it is hereby enacted, Behance purchase. that any suit brought to annul a sale certified purchaser as aforesaid, on the ground that the purchase was made on behalf of another person, not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed with costs.

Notice of annulment.

**XXIII.** And it is hereby enacted, that the annulment of a sale by a Commissioner shall be publicly notified by the Collector or other Officer as aforesaid in the same manner as the becoming final and conclusive of sales is required to be notified by Section XXI. of this Act, and the amount of deposit and balance of purchase money shall be forthwith returned to the purchaser, with interest thereon, at the highest rate of the current public securities, from the dates on which they were respectively paid in, to the date on which the refund is actually made.

**XXIV.** And it is hereby enacted, Purchase liable for arrears of Revenue. that the party certified as the proprietor of an estate by purchase at public sale for the recovery of arrears of Revenue shall be answerable for all instalments of the Revenue of Government which may fall due subsequently to the day of sale: provided, however, that in the case of re-sales the purchaser shall be answerable for all instalments of Revenue which fell due subsequently to the day of the first sale.

**XXV.** And it is hereby enacted, Grounds and conditions of reversal by a Civil Court. that no sale for arrears of Revenue or other demands realizable in the same manner, made after the taking effect of this Act, shall be set aside by a Court of Justice except upon the ground of its having been made contrary to the provisions of this Act: And except the contravention thereto shall have been declared and specified in an appeal made to the Commissioner, under Section XVIII. of this Act, and except the action in the Civil Court be instituted within one year, from the date of the sale becoming final and conclusive, as provided in Section XX. of this Act: And no person shall be entitled to contest the legality of a sale after having received any portion of the purchase money: Provided, however, and it is hereby enacted, that nothing in this Act contained shall be construed to debar any person considering himself wronged by any act or circumstance connected with a sale under this Act, from his remedy in a personal action for damages against the individual by whose act or omission he considers himself to have been wronged.

**XXVI.** And it is hereby enacted, Refund on Reversal of Sale. that in the event of a sale being reversed by a final decree of a Court of Justice, the purchase money shall be refunded to the purchaser by Government, together with interest at the highest rate of the current public securities.

**XXVII.** And it is hereby enacted, Enhancement of rents in Bengal, &c. that the purchaser of an estate sold under this Act, for the recovery of arrears due on account of the same, in the permanently settled districts of Bengal, Behar, Orissa and Banares, shall acquire the estate free from all encumbrances which may have been imposed upon it after the time of settlement, and shall be entitled after notice given under Section X. Regulation V. 1812, to enhance at discretion, (any thing in the existing Regulations to the contrary notwithstanding) the rents of all under-tenures in the said estate, and to eject all tenants thereof, with the following exceptions:

First. Tenures which were held as Istemraee or Moucurrees at a fixed rent, more than 12 years before the permanent Settlement.

Secondly. Tenures existing at the time of the Decennial Settlement, which have not been, or may not be, proved to be liable to increase of assessment, on the grounds stated in Section LI. Regulation V. 1793.

Thirdly. Lands held by Khoud Kanbt or Kudeemee Ryots having rights of occupancy at fixed rents or rents assessable according to fixed rules under the Regulations in force.

Fourthly. Lands held under bonâ fide leases, at fair rents, temporary or perpetual, for the erection of dwelling houses, or manufactories, or for mines, gardens, tanks, canals, places of worship, burying grounds, clearing of jungle, or like beneficial purposes, such lands continuing to be used for the purposes specified in the leases.

Fifthly. Farms granted in good faith at fair rents and for specified terms by a former proprietor, for terms not exceeding twenty years, under written leases, registered within a month from their date. Provided that a written notice, specifying full particulars of the position, rent and area of the lands, the terms of the lease and the names of the parties shall at the same time be given by the latter to the Collector in every case and the Collector shall be bound to object to the same in the event of his

posing reason to believe that the security of the Public Revenue will be materially affected thereby. The exemption declared in this Clause shall not extend to leases objected to by the Collector, by a notification to be fixed up in his Office, with the sanction of the Commissioner, within three months of the date of the notice so made to him by the parties. Provided also, that a purchaser of an estate at a sale for arrears of Revenue shall be at liberty by suit in Court to set aside all such farms although the same be under written and duly registered leases and although such notice may have been given as aforesaid, if the same shall not have been granted in good faith and fair rents.

*Under-tenures elsewhere.*

XXVIII. And it is hereby enacted, that the purchaser of an estate sold under this Act for the recovery of arrears due on account of the same in Districts other than those mentioned in Section XXVII. shall acquire the estate free from all encumbrances which may have been imposed upon it after the time of settlement, and shall be competent to avoid and annul all tenures which may have originated with the defaulter or his predecessors, being representatives or assignees of the original engager, as well as all agreements with ryots or the like settled or credited by the first engager or his representatives, subsequently to the last Settlement, as well as all tenures which the first engager may, under the conditions of his settlement, have been competent to set aside, alter, or renew, saving always and except bona fide leases of ground for the erection of dwelling houses, or buildings, or for offices thereunto belonging, or for gardens, tanks, canals, water-courses, or the like purposes, which leases or engagements shall, as long as the land is duly appropriated to such purposes, and the stipulated rent paid, continue in force and effect. Provided that nothing in this Act contained shall be construed to entitle any purchaser of land at a public sale to demand a higher rate of rent from any persons whose tenure or agreement may be annulled as aforesaid than was demandable by the former Malgoosar, except in cases in which such persons may have held their lands under engagements, stipulating for a lower rate of rent than would have been justly demandable for the land, in consequence of abatements having been granted by the former Malgoosars from the old established rates by special favour, or for a consideration, or the like, or in cases in which it may be proved that according to the custom of the Pergunnah, Mouzah, or other local division such persons are liable to be called upon for any new assessment, or other demand not interdicted by the Regulations of Government.

*Local Government may reserve all under tenures.*

XXIX. And it is hereby enacted, that it shall be competent to the Local Government when it shall seem proper at any time before a sale for arrears shall have been actually made, to direct it to be made, subject to the leases, assignments, or other incumbrances, with which a proprietor in possession, his ancestors, or predecessors may have burthened his assessed Estate, or to such of them as shall appear proper. In all such cases, notice of the condition imposed by the Local Government shall be given by the Collector at the time of calling up the lot for sale, and such further notification shall be made as the Local Government may direct: provided, however, that in case the sale so restricted shall not realize an amount equal to the arrears due at the time of sale, or there shall appear ground to apprehend, that by reason of the restriction the future realization of the Revenue will be endangered, it shall be competent to the Local Government at any time before such restricted sale shall have become final and conclusive in the manner laid down in Section XX of this Act, to direct the sale to be cancelled, and a new sale of the estate to be made without other restrictions than those contained in the exceptions specified in Clauses 1 to 5 of Sec. XXVII. of this Act. If after the Sale has

become final and conclusive, occasion should again arise to bring to sale for arrears an estate purchased with a restriction of the above description, it shall at all times be competent to the Local Government to direct that the *Mahal* shall be sold without any other restriction than those contained in the exceptions specified in Clauses 1 to 5 of Sec. XXVII. of this Act, or with the reservation before reserved. In the former event, should the purchase money realized by the unrestricted sale exceed in a large amount the sum obtained at the restricted sale, it shall further be competent to the Local Government to direct a portion, or the whole of the excess to be paid to persons whose interests having been reserved at the first, shall become void at the second sale.

XXX. And it is hereby enacted, that excepting copartners of estates under *Rutwarrah* who may have saved their shares from *gale* under Sections 33 and 34, Regulation XIX. 1814, any recorded or

unrecorded proprietor or copartner who may purchase in his own name or in the name of another the estate of which he is proprietor or copartner; or who by re-purchase or otherwise, may recover possession of the said estate after it has been sold for arrears under this Act; and likewise any purchaser of an estate sold for other arrears or demands than those accruing upon itself, shall by such purchase acquire the estate subject to all its encumbrances existing at the time of sale and shall not acquire any rights in respect to ryots and under-tenants which were not possessed by the previous proprietor at the time of the sale of the said estate.

XXXI. And it is hereby enacted, that arrears of rent which at the date of sale may be due to the defaulter from his tenants, shall be recoverable by him after a sale by any process except distraint which might have been used by him for that purpose before the sale was made.

XXXII. And it is hereby enacted, that any Collector or Officer exercising the powers of Collector, in respect to Sales, shall be competent to punish any contempt committed in his province in open Court or Office for the time being, by fine, to an extent not exceeding Rs. 200, commutable, if not paid, to imprisonment in the civil jail for a period not exceeding one month; and the Magistrate to whom such an offender may be sent by a Collector as aforesaid, shall carry his sentence into effect. Provided that an appeal from any order passed under this Section shall lie to the Revenue Commissioner, whose decision shall be final.

XXXIII. And it is hereby enacted, that a default to make good a bid by making the deposit required by Section XV. of this Act shall be held to be a contempt.

XXXIV. And it is hereby enacted, that the operation of this Act shall be confined to the Provinces of Bengal, Behar, Orissa and Benares, now subject to the General Regulations and to the Ceded and Conquered Provinces similarly subject to the General Regulations under the Government of the Presidencies of Fort William in Bengal, and nothing in this Act contained shall affect land in the Town of Calcutta or the Settlements of Singapore, Penang or Malacca.

XXXV. And it is hereby enacted, that this Act shall have effect on and after the First day of January 1842.

T. H. MADDOCK,

Secy. to the Govt. of India.



# The Calcutta Gazette.

Published by Authority.

It is requested that Government Notifications for the Calcutta Gazette, of any length, may be sent to the Press before Noon of Friday, and those of a few lines only before 3 P. M. of that day.

SATURDAY, JULY 31, 1841.

PORT WILLIAM,  
GENERAL DEPARTMENT, 26th June, 1838.

All Public Officers of Government sending Advertisements to the Calcutta Gazette for Publication, are hereby directed to make them as short as possible, and to specify always how many times the Advertisement shall be repeated.

By Order of the Hon'ble the Vice President of Council,

H. T. PRINSEP, Secy. to the Govt.

PORT WILLIAM,  
FINANCIAL DEPARTMENT,  
THE 19th NOVEMBER, 1838.

The following revised Terms and Conditions for making Advances in India and China upon Goods and Merchandise consigned to England are published for general information, also the following paragraphs 5 and 6 of the despatch of the Hon'ble Court of Directors, dated 17th August, prescribing the same for future observance:

## TERMS AND CONDITIONS

FOR  
MAKING ADVANCES IN INDIA AND CHINA,  
UPON

The Goods and Merchandise of Individuals intended for Consignment to England, re-payable to the Court of Directors of the East India Company.

1st.—The parties to whom Advances may be made shall agree that the respective Consignments be delivered into such Warehouses as the Court of Directors may approve: and that they be subject to the control of the Court of Directors until the lien of the Company upon the Consignment shall have been satisfied.

2d.—Upon each Consignment, the value of which is to be ascertained by the Officers of the Indian Government, or Authorized Agents of the East India Company, an Advance not exceeding three-fifths of such ascertained value will be made.

The rate of Exchange to be determined from time to time at the place where the Advance is made under the Court's orders.

s. d.

For Company's Rupee for Ad-

Advance made at.....	Bengal.
Ditto.....	Madras.
Ditto.....	Bombay.
For Spanish Dollar Ditto.....	China.

4th.—The Parties will be required to place in the hands of the Board of Customs, Salt and Opium, Bills of Lading of the Consignment and Policies of Insurance effected thereon, both in triplicate. The Bills of Lading must be drawn

deliverable to the East India Company, or endorsed in the order of the East India Company. The Policies of Insurance must be effected in the name and on behalf of the East India Company, as the Parties interested, or endorsed to their order; but persons desirous of effecting the necessary Insurance in this Country, and of depositing the Policies in the Company's Treasury, will be allowed to do so.

5th.—In case of default being made either in acceptance, or payment of the Bills, the Court of Directors to be authorized, in such manner and at such times as they may see fit to sell the Goods, for the purpose of repaying the Company the amount of the Advances made thereon, including Freight and any other charges or expenses which the Company may have incurred on account of the Consignment, together with interest, should any have accrued; the Company, on the other hand, allowing discount, where any part of the proceeds shall be realized before the Bills fall due, and the settlement of either surplus or deficiency shall be made with the Consignor; and if in India or China by the Government or Agents from whom he received the Advance, at the rate of exchange at which the Company may at the time be drawing Bills upon such Government or Agents.

6th.—An Agent in England shall be appointed for each Consignment, to whom the Court of Directors shall be empowered to make over the Goods, subject to all the conditions agreed upon with the Company, on payment of the Bills; and with whom they shall be authorized to transact generally all business relating to such Goods. The Consignor shall be at liberty to make provision, in case of the Party upon whom the Bill is drawn, (being also the Agent) having failed to accept the Bill, for the substitution of another Agent.

7th.—After the arrival of the Goods in England and when they shall have been placed in such deposit as may have been agreed upon, the Agent may be put into possession of them before the Bills become due, upon the amount of such Bills (less discount) being paid, together with the Freight and any other charges and expenses which the Company have paid or may be subject to on account of the Goods.

8th.—The rate of Discount to be allowed by the Company shall be the same as that charged by the Bank of England; and in cases where interest shall have accrued, such interest shall be computed at the rate or rates per cent. which the Company have allowed Discount during the period for which such interest is chargeable.

9th.—Parties or their Agents will be required to insure the Goods from fire, and deposit the Policies with the East India Company; such Insurance to take effect from the date of the termination of the sea risk. Should it however, the Parties or their Agents fail to effect such Insurance, the East India Company shall be at liberty to insure the Goods, the expense of which shall be reimbursed to them previously to their making over the Goods to those Parties or their Agents.

10th.—Parties receiving Advances, to address in each instance a Letter in quadruplicate to the Court of Directors, according to a form which will be furnished by the Officers of Government (or authorized Agents of the East India Company), signifying their assent to all the foregoing conditions, but more particularly for the purpose of expressly authorizing the sale of the Goods by the Company (without either notice to or concurrence of any person whomsoever) at any period after default shall be made either in acceptance or payment of the Bills; also authorizing, in such cases, the re-paying to the Company the Advances made, either principal or interest, together with any other charges or expenses which the Company may have incurred in respect of the Goods, and appointing the Agent in England for each transaction.

*Extract of a Despatch from the Hon'ble the Court of Directors in the Financial Department, dated the 17th August, No. 18 of 1839.*

5.—In future we desire that you will restrict your Advances to the great staple Articles of Indian Produce, Cotton, Silk, Sugar, Coffee, Indigo, Salt Peter and Piece Goods—and further that no Advances be made upon any Consignment the ascertained value of which shall be less than 5,000 Rupees.

6.—Several Packages of Tobacco upon which you have made Advances have been seized by the Officers of Customs, in consequence of their having been imported in illegal Packages.—Extracts from the Acts 3 and 4, Will. 4, Cap. 52, Sec. 58, and 6th and 7th Will. 4, Cap. 60, Sec. 4, relating to the Article of Tobacco, are transmitted in the Packet.

Published by Order of the Hon'ble the President of the Council of India in Council,

H. T. PRINSEP,

*Secy. to the Govt. of India.*

**FORT WILLIAM,  
FINANCIAL DEPARTMENT,**

*The 2d June, 1841.*

Notice is hereby given, that the Board of Customs, Salt and Opium have been authorized to make Advances of Cash to Merchants on Bills of Exchange, secured by consignment of Goods at the rate of 2s. 1d. per Company's Rupee, until further Orders. In all other respects the Terms and Conditions of these Advances will be the same as advertised under dates the 2d May 1838 and 27th November 1839.

Published by order of the Right Hon'ble the Governor of Bengal,

G. A. BUSHBY,

*Secy. to the Govt. of Bengal.*

**FORT WILLIAM,  
GENERAL DEPARTMENT,**

*The 26th July, 1841.*

Mr. J. J. Harvey assumed charge of the General Post Office on the 28d instant.

G. A. BUSHBY,

*Secy. to the Govt. of India.*

**FORT WILLIAM,  
POLITICAL DEPARTMENT,**

*The 26th July, 1841.*

Lieutenant J. G. Gaiskell, Adjutant of the Myswar Bhool Corps, has been appointed 2d in Command of that Corps.

T. H. MADDOCK,

*Secy. to the Govt. of India.*

**FORT WILLIAM,  
POLITICAL DEPARTMENT,**

*The 26th June, 1841.*

Lieutenant J. C. Brook, of the 58th Regiment Native Infantry, has been appointed Adjutant of the Myswar Bhool Corps, in the place of Lieutenant J. G. Gaiskell, appointed 2d in Command.

T. H. MADDOCK,

*Secy. to Govt. of India.*

(No. 1160.)

**ORDERS BY THE RIGHT HONORABLE THE  
GOVERNOR OF BENGAL.  
JUDICIAL AND REVENUE DEPARTMENT.**

The following Officers have obtained leave of absence from their Stations:

*The 27th July, 1841.*

Mr. E. DeCosta, Sudder Ameen of Sarun, for six months, under Medical Certificate, commencing from the date on which he quitted his Station. Mr. Colin MacDonald will officiate as Sudder Ameen of Sarun during Mr. DeCosta's absence, or until further orders. Moulvie Mahomed Najim, Sudder Ameen of Tipperah, for fifteen days, under Medical Certificate, in extension.

FRED. JAS. HALLIDAY,

*Secy. to the Govt. of Bengal.*

**GENERAL ORDERS BY THE RIGHT HONORABLE THE GOVERNOR GENERAL OF  
INDIA IN COUNCIL.**

*FORT WILLIAM, 26th July, 1841.*

No. 183 of 1841.—The Right Hon'ble the Governor General of India in Council is pleased to make the following Promotions and Appointments:

*57th Regiment N. I.*

Captain Nathaniel Jones to be Major,	} From the 21st July, 1841, in succession to Major Edward Herring transferred to the Invalid Establishment.
Lieut. and Bt. Captain Edwin Marriott to be Captain of a Company,	
Ensign Edward James Hughes to be Lieutenant,	
Lieutenant W. H. Oakes, of the 40th Regiment Native Infantry, to do duty with the Ramghur Light Infantry Battalion.	

Assistant Surgeon W. Spencer, Officiating Surgeon to His Excellency the Commander in Chief, to the Medical charge of the Establishment at Hauper, vice Assistant Surgeon G. Anderson deceased.

The undermentioned Gentlemen are admitted to the Service in conformity with their appointments by the Honorable the Court of Directors as Cadets of Artillery, Cavalry and Infantry on this Establishment, and promoted to the rank of 2d Lieutenant, Cornet and Ensign, from the dates assigned to them: General Orders, Nos. 81 and 126, of the 31st March and 26th May last.

<i>Artillery.</i>	<i>Date of arrival at Fort William.</i>
Mr. George Elliot Vayle,	20th July, 1841.
William Poole Waddy,	20th July, 1841.
Douglas Metcalfe,	20th July, 1841.

<i>Cavalry.</i>	
Mr. Daniel Christie,	20th July, 1841.

<i>Infantry.</i>	
Mr. Richard John Edgell,	19th July, 1841.
John Elphinstone Fraser,	19th July, 1841.
Joseph Bleaymire,	20th July, 1841.
Philip Roe Hookin,	20th July, 1841.
Robert Murray Nott,	20th July, 1841.
George Jauvra Price,	20th July, 1841.
Edward Robert Wiggins,	20th July, 1841.
Francis Chantrey Wiggins,	20th July, 1841.
Philip Horne Sanders,	20th July, 1841.
John Louis Nation,	20th July, 1841.

Lieutenant Gilbert Alfred Nichollett, of the 28th Regiment Native Infantry, is permitted to proceed to Europe on Furlough, on Medical Certificate.

J. STUART, Lieut.-Col.,

*Secy. to the Govt. of India, Milly. Dept.*

**FORT WILLIAM, 26th July, 1841.**

No. 184 of 1841.—The Right Hon'ble the Governor General of India in Council is pleased to assign rank to the undermentioned Cornet, Ensigns and Assistant Sergeants, from the dates indicated opposite to their names:

<i>Cavalry.</i>	
Cornet William Adam Anwarul	} 21st May 1841.
Thomson,	
<i>Infantry.</i>	
Ensign Frederick Henry Smith,	2d April 1841.
Edwin Shuckburgh Den-	2d April, 1841.



*Resign Campbell Clays Grant* } 24th April, 1841.  
*Ross* }  
*Hanley Thomas Bartlett* } 21st April, 1841.  
*Joseph Fletcher Richards* } 21st April, 1841.  
*son* }  
*Edward Outley Wollaston* } 21st April, 1841.  
*John William Barwell* } 26th April, 1841.  
*Blagrave* }  
*Charles Basil Gibbons* } 24th May, 1841.  
*Bacon* }  
*Medical Department.*  
*Asst. Surgeon Henry Nicholas* } 21st April, 1841.  
*Nugent* }  
*Edward Brouncker* } 24th April, 1841.  
*Thring* }  
*J. STUART, Lt.-Col.,*  
*Secy. to the Govt. of India, Mily. Dept.*

FORT WILLIAM, 28th July, 1841.

No. 185 of 1841.—Assistant Surgeon Henry Benjamin Hinton is placed at the disposal of the Right Hon'ble the Governor of Bengal, for appointment to the Medical duties of the Civil Station of Akyab in Arracan.

Assistant Surgeon Samuel Moody Griffith, attached to the Civil Station of, and Post Master at, Futtchepore, was, by an order in the Political Department, dated 19th instant, appointed to the Medical charge of the Station of Darjeeling, in succession to Assistant Surgeon A. R. Morton, M. D., deceased.

*J. STUART, Lt.-Col.*  
*Secy. to the Government of India,*  
*Military Department.*

FORT WILLIAM, 28th July, 1841.

No. 186 of 1841.—The following Promotions are made in the undermentioned Corps of the Native Army :

Corps.	Rank and Names.	To what Rank promoted.	From what date.	In whose Room.
Gun Leaders, .....	Havildar Ruston, .....	Jemadar, .....	8th June, 1841.	Aker deceased.
38th Regt. N. I.,	Jemadar Ruggaber Sing, .....	Subadar, .....	1st May, 1841.	Ramburroonah Sing. "Sirdar Subadar," invalided.
Ditto ditto, .....	Havildar Sumner Sing, .....	Jemadar, .....	Ditto, .....	Ruggaber Sing promoted.
54th Ditto, .....	Jemadar Rahim Khan, .....	Subadar, .....	Ditto, .....	Shah Nussorah. "Sirdar Bahadar," invalided.
Ditto ditto, .....	Havildar Annot Upadiah, .....	Jemadar, .....	Ditto, .....	Rahim Khan promoted.

*J. STUART, Lt.-Col.*  
*Secy. to the Govt. of India, Mily. Dept.*

NOTICE.—The Letters for the Cape of Good Hope, marked for transmission by the "Pekoo," have been transferred as follows, in consequence of the return of that vessel leaky, namely,

Those of the 2d and 5th instant, to the "Romeo," and those of the 3d, 4th, 6th, 7th and 8th instant, to the "Reflector."

The Letters for the Cape of Good Hope, marked for transmission by the "City of Poona," have been transferred to the "Reines," the former not being so destined.

The Letters for Europe, which had been despatched by the "Ewell Grove," were transhipped to the "Reflector," on the return of the "Ewell Grove," leaky.

The undermentioned Transfers were effected, in consequence of the Packets reaching Kedgera too late to overtake the Vessels for which they had been originally intended :

Date of the Receipt of the Letters at the General Post Office.	For what Vessel originally intended.	Destination.	By what Vessel transferred.
1st June, 1841.	Agua, .....	Bombay, .....	Shaw-in-Shaw.
4th July, ..	Ignacio, .....	Manila, .....	Caroline.
12th ditto, ..	Poppy, .....	Singapore and China, .....	Black Swan.
Ditto ditto, ..	Dido, .....	Singapore, .....	Ditto.
13th & 14th ..	Champion, .....	Mauritius, .....	Cornelia.
15th ditto, ..	Ellet, .....	London, .....	Redwater.
15th & 14th ..	Joseph, .....	Penang, Singapore and China, .....	Black Swan.
23d ditto, ..	San Ray, .....	Singapore and China, .....	Ditto.
Ditto, ..	James Boyd, .....	Mauritius, .....	London.
23d & 24th ..	Elizabeth, .....	Montreal, .....	Col. Burrey.
24th ditto, ..	City of Poona, .....	London, .....	Black Mary.

Wm. MOORE, Deputy Post Master.

Fort William, General Post Office,  
 The 30th July, 1841.

Packets for the reception of Letters by the following Ships are open at this Office.

Remarks.	Touching at.	To what Port.	Intended Departure.	Agents.
	Singapore.	Overland Letters via Suez.	From Bombay 1st Sept latest date for letters from Calcutta 17th August.	Agnew and Co.
	Cape of Good Hope.	China, .....	20th July, .....	Allen, Patten and Co.
		Mauritius, .....	Ditto, .....	Collett, Ainslie, Corrie & Co.
		Ditto, .....	Ditto, .....	Lyall, Matheson and Co.
		London, .....	31st Ditto, .....	Smith, Mackie and Co.
		Ditto, .....	1st August, .....	
		Ditto, .....	Ditto, .....	

Wm. MOORE, Deputy Post Master.

Calcutta, General Post Office, the 30th July, 1841.

# **RULES RELATIVE TO THE BONDING OF RUM,**

*Produced at Licensed Distilleries worked in the  
European method. Such Rum being removed  
under Bond for exportation by Sea.*

**First.**—Parties working under License, Distilleries constructed and worked in the European method, will be allowed to remove Rum there produced direct to Calcutta, without the previous payment of the Still Head Duty after executing a Bond to the Hon'ble the East India Company, binding themselves to pay Eight Annas per Wine Gallon being the consolidated Abkarry Tax,\*

\* Leviable under Section 4. Clause 1st, and Still Head Duty for any Regulation VII. of 1824. portion of the Spirits so bonded, which may not be exported by Sea as Merchandise within

four Calendar months from the date of the Bond.

**Second.**—A Member of some established House of business in Calcutta to be one of the parties bound, and the parties bound to be jointly and severally answerable for any amount which may ultimately fall due under the Bond.

**Third.**—The Distillery and Apparatus will be considered as pledged\* for any amount which may become due under the Bond. \* Under Section 10, Regulation II. of 1862.

**Fourth.**—The Board of Customs, Salt and Opium, may refuse the security tendered without assigning any cause.

**Fifth.**—Bonds will not be received for a less quantity of Rum than 1000 Wine Gallons, and no quantity of less than 1000 Wine Gallons will be allowed to be removed from the Distillery under Bond. No Spirits to be removed of a strength below London proof.\*

**Sixth.**—On the Bond being duly executed, an order with corresponding marks and numbers, will be issued to the Collector of Land Revenue or other Officer duly authorized, under whose supervision the Distillery is worked, directing him to permit the quantity bonded to pass from the Distillery without payment of the Still Head Duty, at the same time a true copy of the Bond will be forwarded to the Collector of Calcutta Customs.

**Seventh.**—The Darogah or other Officer in charge of the Distillery, will not allow any Cask of Rum to leave the Distillery without the following marks cut or legibly painted on the Cask:

1. The name of the Distillery and known mark of the Proprietor.
2. The quantity of Rum contained in the Cask.
3. The strength of the Rum over London proof, as for instance the marks for Dhobah will stand thus—

\* Meaning 5 degrees over or above London proof.



**Eighth.**—The above marks must be put at each end of the Cask, the strength above London Proof must be declared and marked by the Proprietors themselves or their Agents, at the Distillery.

**Ninth.**—On the Rum being removed from the Distillery, the Collector of the District, or other Officer duly authorized will grant a Pass for its protection to Calcutta, (as is now done when Spirits pay the Still Head Duty) and then immediately make his return to the Board that they have been so removed.

**Tenth.**—The Calcutta Custom House to have no cognizance of the Rum until it is brought for exportation. If the Proprietors of Rum Distilleries or their Agents should rent a Godown on the Custom House Premises, the Rum as brought from the Distillery may of course be lodged in that Godown. But all Rum so lodged on the Custom House Premises must be considered as intended exclusively for export by Sea. In other words, no Rum lodged in Godowns on the Custom House Premises, can be passed into town subsequently, nor be passed otherwise on any account except for Great Sea Export.

**Eleventh.**—On Bonded Rum being brought to the Custom House for exportation, the exporting Parties

shall declare in writing by what Bond it is produced, and shall produce the Pass of the Collector of Land Revenue, or other Officer duly authorized to grant Passes, and the Factory Invoice. It shall then be judged for quantity, and proved to a certain strength by a Custom House Officer. If the strength be less than that shown by the mark on the Cask, which Cask must be the same in which it was removed from the Distillery, the Rum shall be allowed to pass for Sea Export, and the quantity be written off on the copy of the Bond, which will previously have been furnished to the Collector of Sea Customs from the Office of the Board of Customs, Salt and Opium. If the strength be less than the mark on the Cask, the Cask and Spirits in question shall be liable to confiscation and forfeiture to Government. No Rum shall be allowed to be exported below London Proof, and any brought to the Custom House below London Proof shall be confiscable to the Government.

**Twelfth.**—When the entire bonded quantity is written off upon the copy of the Bond, the Collector of Sea Customs shall return the said copy of the Bond (or otherwise certify the full exportation of the Rum covered by that Bond) to the Board of Customs, Salt and Opium, and the Bond in the Board's keeping shall then be cancelled.

**Thirteenth.**—If at the expiration of four months the entire quantity of Rum covered by any Bond shall not have been exported and written off as provided in the preceding Clause, the Board of Customs, Salt and Opium, on the same being certified to them by the Collector of Calcutta Customs, will proceed to recover the duty at the rate of 8 Annas per Wine Gallon, conditioned to be paid upon such quantity of Rum as may not have been exported under the said Bond.

**Fourteenth.**—It shall be the province of exporters to see that the exports made from time to time under Bond are properly written off or certified on the copy of such Bond which is in possession of the Collector of Calcutta Customs, and they the exporters shall testify that it was correctly so written off by their signature to the entry.

**Fifteenth.**—Time-expired Bonds shall be renewable under the authority of the Board of Customs, Salt and Opium, in the event of its being shown to the satisfaction of the Board that the parties executing the Bond have been unable, from the occurrence of some unforeseen obstacle or accident, to export the entire bonded quantity within the period of the currency of the Bond. It is to be fully understood however, that the Board reserve to themselves the power of declining to renew time-expired Bonds without assigning any reason for so doing, in which case the duty of 8 Annas per Gallon on the unexported quantity shall be levied.

**Sixteenth.**—A Shipment of Rum, being 1,000 Wine Gallons or upwards, is entitled to drawback of the consolidated Still Head or Abkarry Duty of 8 Annas per Gallon, whether paid in cash or secured by Bond, being subject to the prescribed Export Customs Duty.

**Seventeenth.**—A shipment of Rum being less than 1,000 Wine Gallons will not be entitled to drawback of Still Head or Abkarry Duty whether paid in cash or secured by Bond; the Customs Duty will not be leviable on such Shipments.

**Eighteenth.**—A maximum allowance, as per following scale, will be made on account of ullage and leakage on Rum brought to Calcutta from the Mofussil for exportation by Sea:

For a distance not exceeding 75 Miles 5 per Cent.  
Ditto, ditto, 100 Do. 7½ ditto.  
For all distances in excess of 100 Do. 10 ditto.

By Order of the Board of Customs, Salt and Opium, the 15th July, 1841.

H. TORRENS, Secretary.

**ABKARRY.**—Notice is hereby given, that from and after the 15th instant, Rum brought into Calcutta from Distilleries in the Suburbs will be subject to payment of Abkarry Tax at the ordinary consolidated rate of Eight Annas (Company's) per Gallon, instead of the Still-head Duty of Six Annas (Shroes) hitherto levied.

Parties desirous of bringing Rum into Calcutta under Bond, may be furnished with instructions for so doing by application at this Office.

By Order of the Board of Customs, Salt and Opium, the 10th July, 1841.

H. TORRENS, Secy.

# SUPPLEMENT TO The Calcutta Gazette.

Published by Authority.

SATURDAY, JULY 31, 1841.

## GENERAL ORDERS ■ THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

FORT WILLIAM, 20th July, 1841.

No. 139 of 1841.—The following List of Out-Pensioners of Chuttee Hospital, permitted to reside in Bengal, received from the Hon'ble the Court of Directors, are published for general information:

*List of Out-Pensioners of Chuttee Hospital, resident in the East Indies.*

Name.	Date of admission on the Pension.	Statement of Service.							Complaint.	Where born.	Description of the Pensioner.			Residence.	Remarks.
		Age.	Sergeant Major.	Quarter Master Sergeant.	Sergeant.	Corporal.	Private.	India Service.							
1st Division.															
James Roberts,	30th April, 1841.	40	...	11 Dec.	...	...	34 32 1/2	21	2 30 1/2	1s. 6d.	Worn out, age and long service, and long service, { Ditto, ... } situation.	Portsmouth, Hants. Buxton, E. India.	Black, ... Black, ... Sallow, ...	Black, ...	Bengal.
James Taylor,	"	42	...	11 Dec. 17 Dec. Under age, ...	...	...	34 32 1/2 15 6 1/2 3	24	2 37 1/2	1s. 6d.	{ Ditto, ... } situation.	Portsmouth, Hants. Buxton, E. India.	Black, ... Sallow, ...	"	"
Thomas Abbott, alias Armstrong,	"	48	...	U. ago.	...	...	34 32 1/2 15 6 1/2 3	5 1/2 7 1/2	2 32 1/2	1s. 6d.	{ Ditto, ... } situation and de- cility.	St. Clements London.	Brown, ...	"	"
Thomas Bergin,	"	38	...	38 Feb.	...	...	34 32 1/2 15 6 1/2 3	...	2 32 1/2	1s. 6d.	Ditto, ... General decility.	Barkings, ...	Gray, ...	"	"
John Fernal,	"	41	...	38 Feb.	...	...	34 32 1/2 15 6 1/2 3	...	2 32 1/2	1s. 6d.	Enervated and enfeebled by di- ease.	Edgworth, ... Warwick.	Hazel, ...	"	"
John Blackhall,	"	45	...	38 Feb.	...	...	34 32 1/2 15 6 1/2 3	22	2 37 1/2	1s. 6d.	Worn out, ...	St. Andrew's Cambridge.	Gray, ...	"	"
Wm. Stables, Corporal,	"	41	...	38 Feb.	...	...	34 32 1/2 15 6 1/2 3	22	2 37 1/2	1s. 6d.	Ditto, ...	O. Hachon, ... Winchester, Hants. Limerick, ...	Gray, ...	"	"
Wm. Almer,	"	48	...	38 Feb.	...	...	34 32 1/2 15 6 1/2 3	29	2 37 1/2	1s. 6d.	Ditto, ...	W. Hachon, ... Winchester, Hants. Limerick, ...	Gray, ...	"	"
Edwd. Ellis, or Hale,	"	42	...	38 Feb.	...	...	34 32 1/2 15 6 1/2 3	23	2 37 1/2	1s. 6d.	Ditto, ...	W. Hachon, ... Winchester, Hants. Limerick, ...	Gray, ...	"	"
Wm. Porter,	"	44	...	38 Feb.	...	...	34 32 1/2 15 6 1/2 3	18	2 37 1/2	1s. 6d.	Ditto, ...	W. Hachon, ... Winchester, Hants. Limerick, ...	Gray, ...	"	"



NOTICE.

**THE GENERAL TREASURY** will be closed on Monday the 2d proximo on account of the Hindoo Holiday Rakhee Poorneemah.

W. H. OAKES Sub-Treasurer.  
General Treasury the 23d July 1841.

NOTICE.

**THE GENERAL TREASURY** will be closed on Monday the 5th and Tuesday the 10th proximo on account of the Hindoo Holidays Janno Ostone.

W. H. OAKES Sub-Treasurer.  
General Treasury }  
the 30th July 1841. }

CUSTOMS.

List of Packages lying unclaimed at this Office.

- 1 Box, Wm Spokes, 1st European Regt. 4th Company, per Roberts.
- 1 Parcel, J. Swan, Governor's Clerk, per Rellance.
- 1 Ditto, J. Pinto, care of Mr. Bastard, per ditto.
- 1 Box, Condr. J. Baldock, Ordnance Department, per Carnatic.
- 1 Parcel, Mr. Gilbert, Clerk H. M. S. Nimrod, per India.
- 5 Butts, marked Z in diamond, per Walker Castle.
- 2 Hhds. & 2 Butts, do C B S 25, 26, 5, 6, per do.
- 2 Butts, ditto 4 diamonds B O, per ditto.
- 1 Ditto, ditto C, per ditto.
- 5 Hhds. ditto G. Muller, per ditto.
- 1 Case, ditto C. W. H., per ditto.
- 4 Butts, ditto R L, per Museum of Muscat.
- 1 Case, Lieut. Col. Booth, care of Griffiths and Co., Madras, per Eliza.
- 1 Ditto, Major Wilcox, per Viscount Melbourne.
- 1 Ditto, Colin Mackenzie, W in diamond 1, per Mountasser.
- 1 Package, Capt. W. H. Shelstone, per Highlander.
- 1 Trunk, marked J O, per Indian Queen.
- 1 Chest, no mark, per ditto.
- 1 Case, H. Ward, 33d Regt., per Winchester.
- 1 Ditto, Mr. Fagan, per Colombo.
- 1 Ditto, W. B. Hamilton, care of R. J. R. Campbell, per Mary and Susan.
- 1 Parcel, Revd. Mr. Haberlin, per Hindostan.
- 1 Ditto, Lt. G. Crispin, care of Colvin and Co., per ditto.
- 2 Ditto, M. T. Downes, per ditto.
- 1 Ditto, Editor of the India Review, per ditto.
- 1 Ditto, A. Nicholson, Cadet, per ditto.
- 1 Ditto, Dr. J. Murray, Inspr. Genl. of Hospitals, per ditto.
- 1 Ditto, S. D. Birch, Bank of Bengal, per ditto.
- 1 Case, Captain J. G. Taylor, care of Captain Vigors, per ditto.
- 1 Parcel, Jamiesons and Co., per Rajastham.
- 1 Ditto, Patterns of P. 54 Bales, per ditto.
- 1 Case, Captain P. Angelo, per City of Poona.
- 1 Package, J. Allport, per Drongan.
- 1 Parcel, Captain T. Lysaght, per Tamerlane.
- 1 Ditto, S. D. Birch, Bank of Bengal, per ditto.
- 1 Ditto, E. T. Downes, per ditto.
- 1 Ditto, Lieut. A. Cunningham, per ditto.
- 1 Case, marked P L, per Earl of Hardwick.
- 1 Trunk, 1 Box, 1 Case, L in diamond 1 to 3, per ditto.
- 1 Case, J. Bradford, per Zenebia.
- 1 Tin Case, Venerable Archdeacon Dealtry, per Gento.
- 1 Case, marked L and Co. in diamond, per Benown.
- 1 Box, Capt. H. Shepherd, 14th Regt. N. I., per George the Fourth.
- 1 Package, C. Trower, per ditto.
- 1 Case, J. D. Willan, 44th Regt. N. I., per Mary Ridley.
- 1 Ditto, Wine, per Asa.
- 1 Bones, Lt. H. P. DeVosier, per Roberts.
- 1 Ditto, C. Madlyn, care of Gant and Co. per ditto.
- 1 Ditto, Capt. Henry, care of Col. Roberts, per ditto.
- 1 Ditto, T. Blackwood, care of J. Hastie, per ditto.
- 1 Ditto, Major Moore, per ditto.

- 1 Ditto, E B in diamond, C. M. Hunter, care of Adam, Scott, per ditto.
- 1 Ditto, G. H. Smith, care of Allan, Paton, per ditto.
- 1 Ditto, Capt. H. Clayton, care of Colvin and Co., per ditto.
- 1 Capt. Baldwin, 31st Regt. per ditto.
- 1 Ditto, Mrs. C. H. Cameron, care of Tulloh and Co., per ditto.
- 1 Ditto, E. T. Trevor, care of A. F. Smith and Co., per ditto.
- 1 Ditto, Dr. A. Smith, Higelley, per ditto.
- 1 Ditto W. Dent, care of Mackillop, Stewart, per ditto.

- 1 Ditto, marked R & S. 6 per ditto.
- 2 Casks and 1 Keg, E. I. C. per Bland.
- 1 Box, R. I. C., Captain Bayles, per ditto.

R. WALKER,

Collector of Customs.

Calcutta, 30th July, 1841.

The Collector has no objection to pass Packages, which are intended for private use, and not for Sale, unopened—provided that at the time they are applied for, satisfactory proof of their contents in the shape of Invoices, Bills, or Letters of Advice are produced. In the absence of these documents, owners should depute a person to be present at the opening of their Packages.

The Collector has nothing to do with the landing of Packages from Ships, nor with forwarding them to their owners or destinations.

Court for the Relief of Insolvent Debtors at Calcutta.

NOTICE is hereby given, that

EDWARD STOKES SCOTT WARRING, a Brevet Captain in the Sixth Regiment of Bengal Cavalry.

Now a Prisoner in the Gaol of Calcutta, hath filed his Petition, praying for Relief under the Provisions of the Statute 5th Geo. IV. Cap. 73, entitled "An Act to provide for the Relief of Insolvent Debtors in the East Indies, &c."—and the said Edward Stokes Scott Warring hath, in Trust for the benefit of his Creditors, executed an Assignment to the Common Assignee of the said Court, of all the real and personal Estate and Effects which he now hath, or is entitled to, or which may come to, or be acquired by him before the Court shall have made its final order in the matter of the said Petition.

P. O'Hanlon, Examiner.

Office of Examiner, 30th July, 1841.

Mr. Hudson, Atty.

কলিকাতার জোড়হিন করজবানবানের পরি

জাণায়ে আদালত

সমাজের দেওয়া আইতেছে যে

একওয়াডে ইক্টোন্স ইক্টাট ওয়ারিঃ বাহান  
কেহেরির ৬ পলটারের এক বিরিবট কাগজের

সম্প্রতি তিনি কলিকাতার জেলে কয়েদ আছেন  
এবং তাহার আরজি দাখিল করিয়াছেন এই প্রা  
ধেয়ায় যে ততহে জাজে বাবসাহের বাবসাইয়ের ২ ন  
বম বঃজেরের আত্মািত আইনের ৭০ ধারা তাহার  
নাম হিন্দুস্থানের অক্ষম করজবানবানের পরিজাণায়ে  
আইন তাহার দিখিত আফা তাহার সম্বন্ধে জামলে  
আইনে এবং এ উক্ত একওয়াডে ইক্টোন্স ইক্টাট  
ওয়ারিঃ উক্ত আদালতের সাধারণ মোতারকা  
রেহ দিকট তাহার মহাজনবানের উপকারার্থে  
কারক হুজুর ও অজবুর বিবর জাহা একমে  
তাহার আছে কিয়া জাহা উক্ত আরজির বিষয়ে  
উক্ত আদালত কর্তৃক পের হকুমদেবার পড়ে



তাহার হস্ত আইনে কিম্বা উপাধীন করেন এ  
সকলের এক মোক্তারনামা নিম্নলিখিত হইয়াছেন—

P. O'Hanlon, Examiner.

একজামিনর সাহেবের আকিফ—

সন ১৮৪১ সাল ৩০ জুলাই—

মেঃ হুডমান উকিল—

*Court for the Relief of Insolvent Debtors at Calcutta.*  
NOTICE is hereby given, that  
STEPHEN WILLIAMS, a Captain in the Eighth Regiment  
of Bengal Infantry.

Now a Prisoner in the Gaol of Calcutta, hath filed his Petition, praying for Relief under the Provisions of the Statute 9th Geo. IV. Cap. 73, entitled "an Act to provide for the Relief of Insolvent Debtors in the East Indies, &c." and the said Stephen Williams hath, in trust for the benefit of his Creditors, executed an Assignment to the Common Assignees of the said Court, of all the real and personal Estate and Effects which he now hath, or is entitled to, or which may come to, or be acquired by him before the Court shall have made its final order in the matter of the said Petition.

P. O'Hanlon, Examiner.

Office of Examiner, 30th July, 1841.

Messrs. Hodgson & Smalley, Atties.

কলিকাতার জোজিহিন করদদারদের পরি

জাগাৰ আদালত—

সমাজার দেওরা আইতেছে যে—

ইউকেন উইলিয়ামস বাবান ইনকোর্পোরি  
৮ পলটানের এক কাপ্তেন—

সম্পত্তি তিনি কলিকাতার জেলে কয়েম আছে  
বৎস তাহার আরজী দাখিল করিয়াছেন এই  
প্রার্থনায় যে চতুর্ভাজ বাবসাহের বাবসাইয়ের  
২০ নবম বৎসরের প্রকাশিত আর্ডনের ৭৩ ধারা  
আহার নাম হিন্দুসাহের অফিস করদদারদের পরি  
জাগাৰ আইন তাহার নিবৃত্ত আদা তাহার সমস্ত  
আমলে আইনে এবং এই উক্ত ইউকেন উইলিয়ামস  
উক্ত আদালতের সাধারণ মোক্তারকারের নিকট  
তাহার মহাজনগণের উপকারার্থে তাবত স্থাবর  
ও অস্থাবর বিষয় জাহা এক্ষণে তাহার আছে  
কিম্বা জাহা উক্ত আরজির বিষয়ে উক্ত আদালত  
হইতে লেব হুডমান হইবার পূর্বে তাহার হস্তে অ  
ইনে কিম্বা উপাধীন করেন এ সকলের এক মোক্ত  
র নামা নিম্নলিখিত হইয়াছেন—

P. O'Hanlon, Examiner.

একজামিনর সাহেবের আকিফ—

সন ১৮৪১ সাল ৩০ জুলাই—

মেঃ হুডমান উকিল—

*Court for the Relief of Insolvent Debtors at Calcutta.*

NOTICE is hereby given, that the matters of the Petitions and Schedules (the same having been filed in the Court) of the Insolvent Prisoners hereinafter named, are appointed to be heard.

On Thursday, the 4th day of September, 1841, at the hour of 12 o'clock in the forenoon.

Witness: GEORGE JAMESON, of Sooterkin's Lane, in Calcutta, a Solicitor at Law.

JOHN LEWIS PAINTE, of Sooterkin's Lane, in Calcutta, an Assistant in the General Treasury.

"No Creditors will be allowed at the Hearing to oppose the discharge of a Prisoner, unless he shall have given notice to the Chief Clerk three clear days before the day of Hearing."

Office of Examiner, 30th July, 1841.

Mr. Hodgson, Attys.

কলিকাতার জোজিহিন করদদারদের পরি

জাগাৰ আদালত—

এতদ্বারা দেওরা আইতেছে যে বিচার  
নামিত বাতয়ার কয়েমী সকলের এই আদালতে  
দাখিল করা আরজী ও কয়েম বিষয় সুশাসিত  
নিমিত্তে নিবৃত্ত হইয়াছে—

সন ১৮৪১ সালের সেপ্টেম্বর মাসের ৪ নদি  
বার তারিখে বেলা ১১ ঘটিকার সময়—

জাজি থোমাসন জেমিসন কলিকাতার সুপ্রিমিস  
গলি নিবাসি এক মোক্তারনামা করানি—

আন লুইস পেরেরা কলিকাতার সুপ্রিমিস  
গলি নিবাসি জেনারেল তেরেব্রিতে এক এগিষ্টাণ্ট

“কোন মহাজন আপত্তা করিতে পারি  
বেন নাই হা বসিতে কোন করেণির অদ্যপি সুশা  
সিত নিবৃত্তি বিষয়ের পূর্বে পূর্ণ তিন দিবস থাকিতে  
চিগ কেসকে সাংকেতের আকিফে সংবাদ না হেন”

একজামিনর সাহেবের আকিফ—

সন ১৮৪১ সাল ৩০ জুলাই—

মেঃ হুডমান উকিল—

SHERIFF'S OFFICE, 2d JULY, 1841.

NOTICE is hereby given, that a Sessions of Oyer and Terminer and Gaol Delivery, and also an Admiralty Sessions, will be holden by the Supreme Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House, in the said Town of Calcutta, on Monday, the Second day of August next, at 12 of the Clock at Noon.

W. C. BRADDON, Sheriff.

The Court will open on the first day of the Sessions, at 12 o'clock at noon, and upon each succeeding day, precisely at 11 o'clock in the forenoon, of which all persons are required to take notice.

W. C. BRADDON, Sheriff.

সরিগ আকিফ ২ জুলাই ১৮৪১ সাল—

সমাজার দেওরা আইতেছে যে আগামী ২ জা  
গি ১৮৪১ সাল সেমবার দুই প্রহরের সময় সহর  
কলিকাতার কোর্ট উইলিয়ামের এবং তাহার অধ  
পাতি যে সকল স্থান তদ্বিষয়ে বকরেন কোর্ট উই  
লিয়ামের সপ্তম কোর্ট আগল আদালত ঘরে ওয়ের  
টরনিয়র এই একমিয়েরলটী অর্থাৎ মহা সমর  
নন্দকীয় মোক্তারদার নিম্নলিখিত অন্ত এক সেমিয়ান  
অর্থাৎ মিহল করিবেন—

W. C. BRADDON, Sheriff.

এই সেমিয়ান জাজি জাগ পক্ষান্ত বসিবেন  
হার প্রথম দিন দুই প্রহরের সময় তাহার পরি  
প্রতিদ্বিব ১১ ঘটিকার সময় অধিকার  
সকলের হস্তে রাখেন—

W. C. BRADDON, Sheriff.

NOTICE is hereby given, that the Toll Gate on the Matabangah will be removed from Matabangah to Bhabhah; on the 1st proximo, as sanctioned by Government.

W. M. SMITH, Secy.

Secy. Matabangah.

**NOTICE of Public Sale.** In satisfaction of a Decree of the Civil Court, (unless intermediately liquidated) at the Collector's Office, Zillah Cuttack, on Saturday, the 7th August, 1841, corresponding with 25th Grabun 1248 U.

Name of Estate to be sold, and Pergunnah in which it is situated and No. of Lot in Collector's Sale Advertisement.	Recorded Proprietor.	Amount Sudder Jamma.	Amount of Decree in satisfaction of which it is now to be Sold.	Name of Plaintiff.	Remarks.
No. 1, Killah Durpan, {	Raja Shakti Ukbar { Hawain, .....	7310 10 2	18641 9 7	Doorgaperasud Pundit deceased, Uncle and Mafez of Gopernath Pundit minor, adopted Son of Mahatab Rai Pundit.	This is a very profitable Estate — Produces Paddy, Gram, Tobacco, Sugar Cane, &c., and offers a most desirable investment for Capital.

Zh. Cuttack, Collr's Office, the 5th July 1841.

K E.

G. G. MACKINTOSH, Offg. Collr.

# MEMORANDUM.

The Ball dropped this day Three Quarters of a Second ( $\frac{3}{4}$ s.) after mean noon.

(Signed) V. L. REES.

*In charge of the Observatory.*

SURVEYOR GENERAL'S OFFICE,

Calcutta, 30th July, 1841.

**THE** Public are hereby informed, that the Sub-Treasurer will negotiate Bills upon the undermentioned Provincial Treasuries, at the rate cited, to the extent of the surplus that is available at each Treasury:

## LOWER PROVINCES.

Backergunge, .....  
Bancoorah, .....  
Dinagapore, .....  
Jessora, .....  
Mymensing, .....  
Pubnah, .....  
Rajshahae, .....  
Tipperah, .....

At par and three days' sight.

G. MORLEY, Acct. General.

Fort William,  
Accountant General's Office,  
the 31st July, 1841.

## BANK OF BENGAL,

15th JULY, 1841.

**NOTICE** is hereby given, that agreeably to the XXXVI. Section of the Charter, Act No. VI. of 1839, the Annual General Meeting of Proprietors of the Bank of Bengal, will be held at the Bank on Tuesday, the 3d Proximo, (Monday, the 2d Proximo, being a holiday) at 11 A. M.

Published by Order of the Directors,

T. BRACKEN, Secy. to the Bank.

## NOTICE.

**A** REWARD of 200 Rupees will be given to any person procuring the apprehension of Ismaelshunder Banerjee, an inhabitant of Jorahanko, in Calcutta, and late a Darogah of Ghaut Mouchurgunge, in the Sate Agency of 24-Pergunnahs.

## LOST.

**S** ECOND Half of a Bank of Bengal Note, No. 4968 for Co.'s Rs. 50, having been lost, the property of Huzinshunder Banerjee, the payment of which has been stopped at the Bank.

**W**ITH the Sanction of Government, the following Advertisement is published for general information.

By Order of the General Management,

JOHN McQUEEN, Secy. M. O. S.

Orphan Society's Office, Kidderpore, }  
5th March, 1839.

## ADVERTISEMENT.

It being understood that Public Officers, in ignorance of the existence and nature of the Orphan Press Contract with Government, occasionally employ other Presses to the prejudice of the Orphan Institution, the General Management deem it expedient to publish, for general information, the following extract of a Letter from Mr. Secretary Princep, shewing that the Orphan Press has the exclusive privilege of Printing for Government

"I am directed to acknowledge the receipt of your letter of the 6th instant, and in reply to state that it is by no means the intention of the Government to withdraw any part of its printing business from the Orphan School Establishment, or to allow Public Officers to give a preference to other Presses. On the contrary, the Vice President in Council has declared his readiness to enquire into every case in which other Establishments may be employed to the prejudice of the interests of the Orphan School, whenever such may fall under his notice or be made the subject of representation.

(Signed) H. T. PRINSEP,

Secy. to Government Genl. Dept.

Council Chamber, 7th August, 1839."

## Just Published,

And for Sale at the Bengal Military Orphan Press,

Reports of Cases in the Court of Nizamut Adawlat, Part 2 of Vol. 5, containing Reports from 1835 to 1840 inclusive, Royal 8vo. .... Rs. 6  
Reports of the Sudder Board of Revenue, regarding the Survey and Settlement of the Land Revenue in the N. W. Provinces, Doing 4to. .... 4  
Circular Orders passed by the Sudder Dewanny Adawlat, Part 3 of Vol. 3, from Jan'y. 6 to Decr. 19, 1840, with an Index to Parts 1, 2, & 3, or from the end of 1837 to the end of 1840, ..... 1  
Circular Orders passed by the Nizamut Adawlat, Part 3 of Vol. 3, from Jan'y. 6 to Decr. 29, 1840, with an Index from the end of 1837 to the end of 1840, ..... 4  
Minute on the Cooley Question, by J. P. Grant, Esq., 8vo. cap 16mo, pp. 74, ..... 8

G. H. HETZMAN,

July 15th, 1841.

Sept.

**TOXICOLOGICAL CHART,**

*Price 1 Rupee,*

Exhibiting ■ one view the Symptoms, Treatment, and Modes of Detecting

**The various Poisons,**

**MINERAL, VEGETABLE, AND ANIMAL;**

To which are added concise directions for the treatment of Suspended Animation.

**A PRACTICAL TREATISE**

ON

*Strengthening and Defending Outposts,  
Villages, Houses, Bridges, &c.*

In reference to the duties of Officers in Command of Picquets, as laid down in the Field Exercise and Evolutions of the Army.

**By J. JEBB,**

*Captain in the Corps of Engineers.*

Demy 8vo. Boards. Price 4 Rs. being a Reprint of the London Edition of 1836, with 16 Lithograph Sketches.

**This-Day ■ Published,**

(Demy 8vo. Price 3 Rs. Cash.)

**THE NEW MUTINY ACT,**

AND

**ARTICLES OF WAR,**

FOR THE COMPANY'S ARMY.

*Reprinted by order of Government, from the authorized Copy as put forth by the Queen's Printers.*

Subscribers' names are received by Mr. Huttmann, ■ the Orphan Press, Calcutta. The Books to be paid for on delivery.

*Feby. 21th, 1841.*

*For Sale at the Bengal Military Orphan Press,*

**DR. TAYLOR'S TOPOGRAPHY**

AND

**STATISTICS OF DACCA,**

With Map, Royal 8vo. pp. 378, Cloth Boards.

*Price 10 Rupees.*

**Sleeman's 2d Report on Thuggee.**

**This-Day is published,**

*And for Sale, for the benefit of the Orphan Press,  
(Demy 8vo. pp. 650—Price 10 Rs.)*

**REPORT**

**ON THE DEPREDATIONS**

COMMITTED BY

**The Thug Gangs**

OR

**Upper and Central India,**

FROM THE

Cold Season of 1836-37, down to their gradual suppression, under the operation of the measures adopted against them by the

**BRITISH GOVERNMENT IN 1838.**

With a Preface, Introduction, voluminous Index, and large coloured Map of that portion of the Kingdom of Oude most infested with Thugs.

**By MAJOR SLEEMAN,**

*Commissioner for the Suppression of Thugges and Dacoities*

**G. H. HUTTMANN,**

*Supt. Orphan Press.*

*March 10th, 1841.*



# The Calcutta Gazette.

Published by Authority.

It is requested that Government Notifications for the Calcutta Gazette, of any length, may be sent to the Press before Noon of Tuesday, and those of a few lines only before 3 p. m. of that day.

WEDNESDAY, AUGUST 4, 1841.

FORT WILLIAM,  
GENERAL DEPARTMENT, 26TH JUNE, 1832.

All Public Officers of Government sending Advertisements to the Calcutta Gazette for Publication, are hereby directed to make them as short as possible, and to specify always how many times the Advertisement shall be repeated.

By Order of the Hon'ble the Vice President in Council,

H. T. PRINSEP, Secy. to the Govt.

FORT WILLIAM,  
FINANCIAL DEPARTMENT,  
THE 19TH NOVEMBER, 1838.

The following revised Terms and Conditions for making Advances in India and China upon Goods and Merchandise consigned to England are published for general information, also the following paragraphs 5 and 6 of the despatch of the Hon'ble Court of Directors, dated 17th August, prescribing the same for future observance:

## TERMS AND CONDITIONS FOR MAKING ADVANCES IN INDIA AND CHINA, UPON

The Goods and Merchandise of Individuals intended for Consignment to England, re-payable to the Court of Directors of the East India Company.

1st.—The parties to whom Advances may be made shall agree that the respective Consignments be delivered into such Warehouses as the Court of Directors may approve: and that they be subject to the control of the Court of Directors until the lien of the Company upon the Consignment shall have been satisfied.

2d.—Upon each Consignment, the value of which is to be ascertained by the Officers of the Indian Governments, or Authorized Agents of the East India Company, an Advance not exceeding three-fifths of such ascertained value will be made.

The rate of Exchange if determined from the time at the place where the Advance is made under the Court's orders.

q. d.

For Company's Rupee for Advances made at.....  
Ditto.....  
Ditto.....  
For Spanish Dollar Ditto.....

Bengal.  
Madras.  
Bombay.  
China.

4th.—The Parties will be required to place in the hands of the Board of Customs, Salt and Opium, Bills of Lading of the Consignment and Policies of Insurance effected thereon, both in duplicate. The Bills of Lading must be deliverable to the East India Company, or endorsed to the order of the East India Company. The Policies of Insurance must be effected in the name and on behalf of the East India Company, as the Parties interested, or endorsed to their order; but persons desirous of effecting the necessary Insurance in this Country, and of depositing the Policies in the Company's Treasury, will be allowed to do so.

5th.—In case of default being made either in acceptance, or payment of the Bills, the Court of Directors to be authorized, in such manner and at such times as they may see fit to sell the Goods, for the purpose of re-paying the Company the amount of the Advances made thereon, including Freight and any other charges or expenses which the Company may have incurred on account of the Consignment, together with interest, should any have accrued; the Company, on the other hand, allowing discount, where any part of the proceeds shall be realized before the Bills fall due, and the settlement of either surplus or deficiency shall be made with the Consignor; and if in India or China by the Government or Agents from whom he received the Advances, at the rate of exchange at which the Company may at the time be drawing Bills upon such Government or Agents.

6th.—An Agent in England shall be appointed for each Consignment, to whom the Court of Directors shall be empowered to make over the Goods, subject to all the conditions agreed upon with the Company, on payment of the Bills; and with whom they shall be authorized to transact generally all business relating to such Goods. The Consignor shall be at liberty to make provision, in case of the Party upon whom the Bill is drawn, (being also the Agent) having failed to accept the Bill, for the substitution of another Agent.

7th.—After the arrival of the Goods in England and when they shall have been placed in such deposit as may have been agreed upon, the Agent may be put into possession of them before the Bills become due, upon the amount of such Bills (less discount) being paid, together with the Freight and any other charges and expenses which the Company have paid or may be subject to on account of the Goods.

8th.—The rate of Discount to be allowed by the Company shall be the same as that charged by the Bank of England; and in cases where interest shall have accrued, such interest shall be computed at the rate or rates per cent. at which the Company have allowed Discount during the period for which such interest is chargeable.

9th.—Parties or their Agents will be required to insure the Goods from fire, and deposit the Policies with the East India Company; such Insurance to take effect from the date of the termination of the Sea risk. Should however the Parties or their Agents fail to effect such Insurance, the East India Company shall be at liberty to insure the Goods, the expense of which shall be reimbursed to them previously to their making over the Goods to the Parties or their Agents.

10th.—Parties receiving Advances, to address each instance a Letter in quadruplicate to the Court of Directors, according to a form which will be furnished by the Officers of Government (or authorized Agents of the East India Company), signifying their assent to all the foregoing conditions, but more particularly for the purpose of expressly authorizing the sale of the Goods by the Company (without either notice or concurrence of any person whomsoever) at any period after default shall be made either in acceptance or payments of the Bills; also authorizing, in such cases, the re-paying to the Company the Advances made, either principal or interest, together with any other charges or expenses which the Company may have incurred in respect of the Goods, and appointing the Agent in England for each transaction.

Extract of a Despatch from the Hon'ble the Court of Directors in the Financial Department, dated the 17th August, No. 18 of 1838.

5.—In future we desire that you will restrict your Advances to the great staple Articles of Indian Produce, Cotton, Silk, Sugar, Coffee, Indigo, Salt Peter and Piece Goods—and further that no Advance be made upon any Consignment the ascertained value of which shall be less than 5,000 Rupees.

6.—Several Packages of Tobacco upon which you have made Advances have been seized by the Officers of Customs, in consequence of their having been imported in illegal Packages.—Extracts from the Acts 3 and 4, Will 4, Cap. 52, Sec. 38, and 6th and 7th Will 4, Cap. 50, Sec. 4, relating to the Articles of Tobacco, are transmitted in the Packet.

Published by Order of the Hon'ble the President of the Council of India in Council,

H. T. PRINSEP,

Secy. to the Govt. of India,

**FORT WILLIAM,  
FINANCIAL DEPARTMENT,**

The 2d June, 1841.

Notice is hereby given, that the Board of Customs, Salt and Opium have been authorized to make Advances of Cash to Merchants on Bills of Exchange, secured by consignment of Goods at the rate of 2s. 1d. per Company's Rupee, until further Orders. In all other respects the Terms and Conditions of these Advances will be the same as advertised under dates the 2d May 1838 and 27th November 1839.

Published by order of the Right Hon'ble the Governor of Bengal,

G. A. BUSHBY,

Secy. to the Govt. of Bengal.

(No. 801.)

**ORDERS BY THE HON'BLE THE LIEUT.  
GOVERNOR N. W. P.**

AGRA,

**ECCLESIASTICAL DEPARTMENT,**

The 26th July, 1841.

Revd. A. Spry is appointed Chaplain of Bareilly.

J. THOMASON,

Secy. to Govt. N. W. P.

**NOTICE.**—The Public are hereby informed, that under the Orders of Government dated the 21st ultimo, the Serangunge Post Office has been discontinued from this day, and all letters, &c. that station will henceforth be sent to the Mysore, Jamalpur, or Poonah Offices, as they may be directed.

J. J. HARVEY,

Offg. Post Master General.

Fort William, Genl. Post Office, }  
the 4th August, 1841.

**OVERLAND LETTERS AND POSTAGE.**

It is hereby notified for general information—

First.—That all Letters and Newspapers, except Soldiers' and Sailors' Letters, intended for transmission by the Overland Mails, and except those specially marked "via Falmouth," will be sent through France, and thus be subject to the heavier rate of postage.

Second.—Letters and Newspapers addressed to France, as well as those to other foreign countries, with which France is the channel of communication (if the latter are expressly directed to be so sent) will be made up in Packets and sent to the French Post Master at Marseilles; but Letters for Foreign Countries, other than France, if not specially directed to France, will be included in the Packets for England. Letters, &c., for places lying between Bombay and Marseilles, will be despatched in separate Packets.

Third.—Letters for the United Kingdom of Great Britain, weighing less than a quarter of an ounce, and passing through France, are charged single postage, which by that route amounts to 2s. 8d. By the Falmouth route, Letters of half an ounce in weight, are subject to single postage only, which by that route, has now been reduced to 1s.

Newspapers, if sent via Falmouth, are free of postage; but if transmitted by the way of Marseilles, they are charged 2d. each.

H. S. OLDFIELD,

Offg. Post Master General.

Fort William, Genl. Post Office, the 27th May, 1840.

It is hereby notified that, unless marked for particular Ships, all Letters received at the General Post Office between Monday the 26th July and Sunday the 1st August, both dates inclusive, were despatched by the undermentioned Vessels, which sailed from Calcutta on dates specified:

Letters received on dates from and to.	By what Ships despatched.	Bound to.	Remarks.
26th to 31st July, ...	Romeo.....	Cape of Good Hope, } and London, .....	Left Town on the 31st ult.
1st August.....	Santur.....	Liverpool, .....	Will sail on the 4th inst.
26th to 30th July, ...	Mauritius, .....	Left Town on the 20th ult.	
26th & 27th ditto, ...	Mar, .....	Singapore and China, .....	On the 29th ditto.
28th & 29th ditto, ...	Aur, .....	Ditto, .....	Ditto 30th ditto.

M. MOORE, Deputy Post Master.

Calcutta, General Post Office, the 2d August, 1841.

**LIST OF UNCLAIMED LETTERS** remaining in the General Post Office, which accumulated between the 1st April and 30th June 1841.

A  
Allen, Esq. Mat.—Presidency Pay Office, Calcutta.  
Arthur, Sir A. D. (3 letters)—care of Gilmore and Co, Calcutta.  
Anderson, George—on board the Ship Henry Tanner, Capt Bisset, Calcutta.  
Anderson, William—Private of the 21st Regiment.  
Anderson, Dr Robert Brunton—Ship Vicequart, Melbourne, Madras.  
Allison, Esq. George Lloyd—care of Capt Hargreave, Ship Duke of Lancaster, Calcutta.  
Anderson, Mr Jas.—Ship Curatius Cowarjes, care of Capt Campbell, Calcutta.  
Aken, Mathew—Seaman on board the Bark Cambrian, Calcutta.  
Arnold, John—No 293, Serje H. M. 9th Foot.



Baker, Major General Sir James Stevenson—Calcutta, E.I.  
 Byrnes, Ensign—M M 26th Regiment, Calcutta.  
 Balfour, Mr J—Sourab Ghât, Purneah.  
 Bell, Captain W H—Ship Golconda, China.  
 Bell, Rm. W H—Commander Ship Golconda, China.  
 Barclay, Mr A W—to be left at the Post Office, Calcutta.  
 Bruce, Lieut Colonel Charles—Bruce, Shand and Co, Calcutta.  
 Bonow, Mr John—Pensioner, Kidderpore, East Indies.  
 Barchard, Esq. Henry J—Jessore.  
 Blair, Capt D—Commander of Ship Elora, Saugor.  
 Marshall, Mr George—Ship Breamer, Chusan, China.  
 Burton, Esq. N—Passenger to Calcutta per Viscount Melbourne, care of Messrs Binny and Co, Madras.  
 Balling, Esq. John—Of the Tagliero, London.  
 Blandhall, Mr—Delhi.  
 Benjamin, Mr James—Calcutta.  
 Bontien, Mr John—Malda.  
 Barnes, Esq. James—Berhampore.  
 Barker, Mrs Rebecca—Allpore, Calcutta.  
 Brounlie, Mr Bonaface—Calcutta.  
 Botelho, Sr Guillerme S. (2 letters)—Calcutta.  
 Berham, Mrs Jane—Artillery, Bengal.  
 Baldwin, Mr T—at the Nabob, Moorshedabad.  
 Budge, Gunner John (2 letters)—Artillery Regimental Band, Dum Dum.  
 Bluntish, Sergt Alex—16th Lancers, Chinsurah.  
 Bonwell, Mr John, (2 letters)—Sergt Assist Overseer Dept Public Works, Hazarcebaugh.  
 Browne, Valentine—16th Regiment of Foot, Dinapore or elsewhere.  
 Baker, William—Private 16th Foot, Calcutta.  
 Boland, Pt John—15th Regt Foot, Dinapore.  
 Burkett, Thomas—Private 33d Regt No 1007, Bengal, elsewhere.  
 Brunetou, Thomas—Private 3d Regt Buffs, Bengal.  
 Boudrot, Monsieur—Chevalier de la Legion d'Honneur Negonant Francois a Calcutta.  
 Biot, Monsieur—Maitre Charpentier, bord detrois mats, Le Belgro a Calcutta.  
 Bomonjee Dadabhy, (3 letters)—at Calcutta, Confectioner.  
 Barlow, Mr John—Brig Seven, Capt. Brance, Calcutta.  
 Bell, Mr W—Capt Stewart, Ship Maria, care of Messrs Bruce, Shand and Co, Calcutta.  
 Brown, Capt A—Barque Catherine, care of Messrs Gillanders, Arnthnot and Co, Calcutta.  
 Bailey, George—Seaman on board M S Childers.

Bennett, James—on board the David Scott.  
 Barraud, Monsieur—Calcutta.  
 Biot, Monsieur—Maitre Charpentier a bord detrois mats, Le Belgro a Calcutta.  
 Blountish, Sergt Alex—16th Lancers, Chinsurah.  
 Benwell, Sergeant Joseph—Asst Overseer Dept Public Works, Hazarcebaugh.  
 Buddree Slug Herchundaz—In the Thanah Ha-jepore.  
 Baltazar, Moner Mr—Sepjan Matelot a bord de la Josephine, Capt Plock.

( To be continued. )

WM. MOORE, Deputy Post Master,  
 Fort William, General Post Office,  
 the 31st July, 1841.

### NOTICE.

**CUSTOMS**—Sealed Tenders for the Lease of the Howrah Powder Magazine will be received at this Office, and be opened by the Board in the presence of the parties tendering at 12 o'clock, on Monday, the 16th instant. The envelopes conveying the Tenders, are to be superscribed "Tenders for the Lease of the Howrah Powder Magazine." The Lease will be granted for a period of 3 years from the 1st September ensuing, and the rent which may be offered, must be paid quarterly to the Calcutta Collector of Customs. The highest annual rent, which may be tendered, will be submitted to Government for acceptance. The Lessee will, in consideration of such rent, be allowed to collect, for his own benefit, the Fees now charged on all Gunpowder stored in the Magazine, viz. 2 annas per lb. for Sporting Gunpowder, and 1 anna per lb. for coarse or common Powder. The Lessee will be at liberty to reduce these rates, but not to augment them according to his own direction. He will however be expected to bind himself in a penalty of not less than 1000 Rupees, and to the loss besides of his contract in case of his showing partiality or refusing to admit the Powder of all parties on the same footing. He will moreover be expected to bind himself upon the same conditions not to deliver Powder out of the Magazine, except upon a written order from the Calcutta Collector of Customs, or in quantities exceeding 100 lbs. at a time. The Lessee will further bind himself to defray all incidental expenses for the protection of the Magazine, and for keeping it in repair, as well as on account of Establishment.

By Order of the Board of Customs, Salt and Opium, the 2d August, 1841.

H. TORRENS, Secy.

**NOTICE** is hereby given, that the undermentioned quantity of Mocha Salt is for sale at the rate specified below. Purchasers to satisfy themselves as to the quality of the Salt in question by personal inspection of the Masters at the Government Golahs at Sulkea, and the Rowannah first presented there to be entitled to the first delivery.

### DESCRIPTION OF SALT.

Agency.	Grant.	Year of Importation.	Quantity.	Price per 100 Maunds.
Mocha Salt, .....	Sulkea, .....	{ 1839-40, ..... 1840-41, .....	Maunds..... 219 " ..... 390 Maunds..... 392	{ Co's Rs. 415

Board of Customs, Salt and Opium, the 31st July, 1841.

H. TORRENS, Secretary.

### NOTICE.

**THE GENERAL TREASURY** will be closed on Monday the 9th and Tuesday the 10th proximo account of the Hindoo Holidays Junmo Oshome.

W. H. OAKES, Sub-Treasurer.

General Treasury,  
 the 30th July 1841.

**NOTICE** is hereby given, that the Effects of the late Mr. A. L. DICKSON, a resident of Dinnacaroo, Zillah Goruckpore, are under the seal of this Court and will be delivered to any person duly authorized to receive the same.

HENRY LUSHINGTON, Judge.

Judge's Office, Zillah Goruckpore,  
 the 27th July, 1841.

**FOUND** in the Ganges near Allahabad, a wooden Chest, 4 feet in length and 2 feet in breadth "No. 919, "Hythe" written on one side, "No. 200, Delhi" written on the other side, containing 3 large and 1 small piece of Woolen Puttee, covered with wax cloth, measuring 157½ yards.

Any person claiming the same should apply to the Magistrate of Allahabad within one month, as after the expiration of that period the contents will be sold by Public Auction.

R. MONTGOMERY, Magistrate.

Magistrate's Office,  
 Zillah Allahabad,  
 the 27th July, 1841.

**NOTIFICATION** of Public Sale for Arrears of Revenue, unless intermediately liquidated, to take place in the Collector's Office, Zillah 24-Pergunnahs, on the 13th August, 1841, corresponding with 20th Srawan 1248 B. S.

Name of the Mohals to be sold, and the Pergunnah in which it is situated, and Number of Lots in Collector's Sale Advertisement.	Recorded Proprietors.	Annual Sudder Jumma.	Arrears of Revenue, including Interest for the Kist of April, 1841.	Remarks.
Kt. Pergh, Magorah, Kt. Chittles, &c. No. 5, .....	Estate of Rada Churn Roy, ...	9079 6 2	90 2 7	These Mohals produce Paddy, &c.
" Do. do. Mowjeh Dabepore, No. 59, .....	Juggutoolab Sing, .....	881 6 3	53 7 6	
" Do. Madennul, &c., do. Callikapore, &c., No. 60, .....	Hurroball Mitree, .....	27455 3 2	678 6 10	
" Do. Burrohall, Truf Co-dalen, &c., No. 60, .....	Ausundehunder Mookerjee,...	5110 0 0	290 4 9	
" Do. Calcutta, Mowjeh Wooreaparah, No. 93,...	Gobindpersad Roy, ....	10374 13 3	2017 11 10	
" Do. Madennul, &c., Mowjeh Bariepore, &c., No. 132, .....	Ragobulloo Roy Choudry, ...	54837 6 9	2214 13 1	
" Do. Sahangore, &c., Mowjeh Ghotiesourah, &c., No. 209, .....	Prosunno Chunder Mitree,...	12170 11 8	176 12 6	
" Do. do. Issuripore, &c., No. 210, .....	Gopeenanthjee Sahait, Obhy-churn Baidopadea, .....	6544 3 0	451 15 7	
" Do. Bellea, Mowjeh Purroye, No. 219, .....	Bhobanechurn Chuttopadea, .....	8044 7 0	133 4 3	
" Do. Anzlmahad, Hoodlah Mudhopore, No. 234, ...	Ragunath Chuckerbatty & Baidonath Bose, .....	12767 11 3	205 6 3	
" Do. Moydah, &c. Truf Barah, &c., No. 248, .....	Nubekiate Ghose, .....	8820 12 6	309 15 5	
" Do. Hattenghur, Abad Luckipore, No. 250, .....	Pittembor Mitree, .....	5019 15 0	218 2 2	

E. E.

Collr's. Cutcherry, 24-Pergunnahs, the 31st July, 1841.

J. G. B. LAWRELL, Actg. Collr.

**NOTICE** of Public Sale, in satisfaction of a Decree of the Civil Court, (unless intermediately liquidated) in the Collector's Office, Zillah Cuttack, on Saturday, the 7th August, 1841, corresponding with 25th Srawan 1248 U.

Name of Estate to be sold, and Pergunnah in which it is situated and No. of Lot in Collector's Sale Advertisement.	Recorded Proprietor.	Amount Sudder Jumma.	Amount of Decree in satisfaction of which it is now to be Sold.	Name of Plaintiff.	Remarks.
No. 1, Killa Durpan, }	Raja Shaik Ukbur Heosain, .....	7310 10 3	10841 9 7	Doorgapersad Pundit deceased, Uncle and Mafaz of Gopenath Pundit minor, adopted Son of Mahatab Rai Pundit.	This is a very profitable Estate — Produces Paddy, Gram, Tobacco, Sugar Cane, &c., and offers a most desirable investment for Capital.

Zh. Cuttack, Collr's. Office, the 5th July 1841.

B. E.

G. G. MACKINTOSH, Offg. Collr.

# **NOTICE.**

## **UNCOVENANTED SERVICE PENSION FAMILY FUND.**

**T**HE Fourth Annual General Meeting of Subscribers to the above Institution will be held in the Town Hall, on Tuesday, the 10th of August next, at 10 o'clock A. M., to receive the Report of the Directors for the past year, and to consider such matters as may then be submitted.

By order of the Directors,

H. ANDREWS, Secretary.

Unconv. Service Family Pension Fund }  
Office, 20th June, 1841. }

**NOTICE** is hereby given, that a 4 per Cent. Company's Paper, No. 13824, dated the 1st May, 1832, for Rs. 500, belonging to me, and about Co.'s Rs. 100 in cash, contained in a box, were stolen from my house last night. Any person leading to the discovery of the same paper and restoring it to me will be handsomely rewarded.

LOKENAUTH SEN.

Calcutta, Custom House, }  
Cash Department, }  
31st July, 1841. }

## **NOTICE.**

**A** REWARD of 200 Rupees will be given to any person procuring the apprehension of Issur-chander Banerjee, an inhabitant of Jorasanko, in Calcutta, and late a Darogah of Ghaut Monehurgunge, in the Salt Agency of 24-Pergunnahs.

**Bengal Civil Fund.**

**A**T a Half-Yearly General Meeting of Subscribers to the Bengal Civil Fund, held on Saturday, the 31st July 1841, at 11 o'clock A. M.

PRESENT.

J. CURTIS, Esq., in the Chair.

J. Lewis, Esq.; F. J. Halliday, Esq.; H. Moore, Esq.; J. P. M. Reid, Esq.; Edward Stirling, Esq.; J. Dunbar, Esq.; J. J. Harvey, Esq. and M. V. Bayley, Esq.

The accounts for the past year 1840-41, showing a balance on the 30th April last, of Co's Rs. 1,81,803-0-0, was approved and passed. The Receipts of the year were shown to be in excess of the year's charges by Rs. 51,705-2-0<sup>2</sup>—this includes, however, besides the extraordinary Annual Subscription realized by the cess of half per Cent. up to January last and 4 per Cent. since the 1st of January, sums of old unpaid subscriptions recovered, arrears, and Furlough Subscription advances paid up—while the amount of London Bills for Pensions paid in England is less than usual.

The Secretary reported to the Meeting that early in 1840-41 the Managers had represented to the Government the loss of interest the Fund sustained, and the trouble accruing to the Officers of Government, from the existing system of the contributions to the Fund which are paid into the Treasuries of Collectors and other Officers in the interior being remitted to the Treasurer by Drafts:—And the Committee submitted a proposition that, in lieu of the old plan, the Fund might be allowed to receive credit upon monthly audited statements of deductions of subscription made from Salary and Allowance Bills by the Civil Auditor. The proposed plan had had the concurrence of the heads of the Office of Account and Audit. But the Government deemed it fit to forward the proposition for the orders of the Hon'ble the Court of Directors. No intimation has yet been received by the Managers of the result of the reference.

[Here follow the details of two submissions to the benefits of the Fund]

*Summary of Receipts and Disbursements in 1840-41.*

RECEIPTS.		
Subscription, .....	17,285	6 4
Interest of Capital, .....	11,110	7 7
Donation of Hon'ble Court, .....	25,600	0 0
		309,095 13 11
CHARGES.		
Bills of London Agents for 1830 <sup>2</sup> incurred in the course of this year in payment of English Pensions, ..	205,537	4 5
Amount of Hon'ble Court's Donation absorbed in liquidation of Pensions and of the Agency Charges, Rs. £2500 at 2-1 per Rs. Rs., ..	25,600	0 0
	231,137	4 5
* Being for the 2d half of 1839 and 1st of 1840.		
Pensions of Income-taxes in India, .....	22,406	14 3
	253,543	2 8
Balance of overpaid Subscriptions, ..	88	14 6
Regular Establishment in India, .....	2,489	10 0
By the Civil Auditor for Monthly Audit Statements, .....	382	0 0
Temporary Establishment, .....	430	0 0
Contingencies of the Office, .....	60	13 8
Printing Charges, ..	417	3 0
	257,280	11 2

Excess of Receipts over Charges, Co's Rs. 51,705 2 0

Thanks were then voted to the Chairman and the Meeting adjourned.

J. CURTIS, Chairman.

Civil Fund Office,  
The 31st July, 1841.

**BENGAL MEDICAL RETIRING FUND.**

**T**EN\* ANNUITIES having been declared at the Quarterly General Meeting, held on the 12th

July, ultimo, as available ■ Subscribers to the Fund, who have served in India (17) seventeen years and upwards, such Subscribers as are

qualified by period of service, and may be desirous of accepting Annuities, are hereby invited to send in their application to this Office, superscribed "Application for Annuity," on or before Saturday, the 30th day of October next, on which date the several applications will be opened by the Committee of Management.

Subscribers whose applications shall not have been received on or before the above date, will be held to have declined the Annuity and the Annuity will be declared on the 30th October next, according to seniority of standing in the service from among those Subscribers to the Fund, whose applications shall have been received.

By order of the Committee of Management,

GEO. HILL, Secretary.

Medical Retiring Fund Office,  
Calcutta, 2d August, 1841.

**W**ITH the Sanction of Government, the following Advertisement is published for general information.

By Order of the General Management,

JOHN McQUEEN, Secy. M. O. S.

Orphan Society's Office, Kidderpore,  
5th March, 1839.

**ADVERTISEMENT.**

It being understood that Public Officers, in ignorance of the existence and nature of the Orphan Press Contract with Government, occasionally employ other Presses to the prejudice of the Orphan Institution, the General Management deem it expedient to publish, for general information, the following extract of a Letter from Mr. Secretary Prinsep, shewing that the Orphan Press has the exclusive privilege of Printing for Government

"I am directed to acknowledge the receipt of your letter of the 6th instant, and in reply to state that it is by no means the intention of the Government to withdraw any part of its printing business from the Orphan School Establishment, or to allow Public Officers to give a preference to other Presses. On the contrary, the Vice President in Council has declared his readiness to enquire into every case in which other Establishments may be employed to the prejudice of the interests of the Orphan School, whenever such may fall under his notice or be made the subject of representation.

(Signed) H. T. PRINSEP,

Secy. to Government Genl. Dept.

Council the Chamber, 7th August, 1839."

**Just Published,**

And for Sale at the Military Orphan Press,

- Reports and Abstracts of the Proceedings of a Committee for the Investigation of the Coal and Mineral Resources of India, brought up to May, 1841, by J. McClelland, Esq., Secy., Rs. 4
- Reports of Cases in the Court of Nizamut Adawlut, Part 1 of Vol. 5, containing Reports from 1835 to 1840 inclusive, Royal 8vo. .... 6
- Reports of the Sudder Board of Revenue, regarding the Survey and Settlement of the Land Revenue in the N. W. Provinces, Demy 4to. .... 4
- Circular Orders passed by the Sudder Dewanny Adawlut, Part 3 of Vol. 3, from Jany. 6 to Decr. 18, 1840, with an Index to Parts 1, 2, & 3, or from the end of 1837 to the end of 1840, .... 6
- Circular Orders passed by the Nizamut Adawlut, Part 3 of Vol. 3, from Jany. 6 to Decr. 26, 1840, with an Index from the end of 1837 to the end of 1840, .... 4
- Minutes on the Cestry Question, by J. P. Grant, Esq., folio-cap folio, pp. 75, .... 2

G. H. HUTTMANN,

August 2nd, 1841.

Sept.

**TOXICOLOGICAL CHART,**

*Price 1 Rupee,*

Exhibiting in one view the Symptoms, Treatment, and Modes of Detecting

**The various Poisons,**

**MINERAL, VEGETABLE, AND ANIMAL;**

To which are added concise directions for the treatment of Suspended Animation.

**A PRACTICAL TREATISE**

ON

*Strengthening and Defending Outposts,  
Villages, Houses, Bridges, &c.*

In reference to the duties of Officers in Command of Piquets, as laid down in the Field Exercises and Evolutions of the Army.

**By J. JEBB,**

*Captain in the Corps of Engineers.*

Demy 8vo. Boards. Price 4 Rs. being a Reprint of the London Edition of 1836, with 16 Lithograph Sketches.

**This-Day is published,**

(Demy 8vo. Price 3 Rs. Cash.)

**THE NEW MUTINY ACT,**

AND

**ARTICLES OF WAR,**

FOR THE COMPANY'S ARMY.

Reprinted by order of Government, from the authorized Copy as put forth by the Queen's Printers.

Subscribers' names are received by Mr. Huttmann, at the Orphan Press, Calcutta. The Books to be paid for on delivery.

*Feb'y. 27th, 1841.*

*For Sale at the Bengal Military Orphan Press,*

**DR. TAYLOR'S TOPOGRAPHY**

AND

**STATISTICS OF DACCA,**

With Map, Royal 8vo. pp. 378, Cloth Boards,

*Price 10 Rupees.*

**Sleeman's 2d Report on Thuggee.**

**This-day is published,**

*And for Sale, for the benefit of the Orphan Press,*

(Demy 8vo. pp. 650—Price 10 Rs.)

**REPORT**

**ON THE DEPREDACTIONS**

COMMITTED BY

**The Thug Gangs**

OF

**Upper and Central India,**

FROM THE

Cold Season of 1836-37, down to their gradual suppression, under the operation of the measures adopted against them by the

SUPREME GOVERNMENT IN 1839.

With a Preface, Introduction, voluminous Index, and large coloured Map of that portion of the Kingdom of Oude most infested with Thugs.

**By MAJOR SLEEMAN,**

*Commissioner for the Suppression of Thuggee and Dacoities*

**G. H. HUTTMANN,**

*Sept. Orphan Press.*

*March 10th, 1841.*



SUPPLEMENT TO  
**The Calcutta Gazette.**

Published by Authority.

WEDNESDAY, AUGUST 4, 1841.

No. 2065.

FORT WILLIAM,  
POLITICAL DEPARTMENT,  
2D AUGUST, 1841.

Lieutenant G. Haines, Junior Assistant to the Commissioner of Mysore, having returned to his duties on the 15th ultimo, the unexpired portion of the leave of absence granted to him on the 7th December, 1840, is accordingly cancelled.

T. H. MADDOCK,  
*Secy. to the Govt. of India.*

No. 861.

FORT WILLIAM,  
SECRET DEPARTMENT,  
2D AUGUST, 1841.

Captain Colin Mackenzie, Assistant to the Political Agent at Peshawur, has obtained four months leave of absence, from the 1st of July, to proceed to Cabool, on Medical Certificate.

T. H. MADDOCK,  
*Secy. to the Govt. of India.*

FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,  
THE 2D AUGUST, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 2d of August 1841.

Act No. — of 1841.

*An Act for repressing obstructions to Justice committed in certain Courts of the East India Company.*

I. Whereas sufficient provision is not made for repressing obstructions to Justice committed in the Courts of the East India Company; and whereas it is inexpedient to confer on those Courts the power of punishment in all the cases designated as contempt in Her Majesty's Courts and there punishable as such;

It is hereby enacted, that all persons whatsoever using menacing gestures or expressions, or otherwise obstructing Justice in the presence of any Zillah or City Magistrate, or any superior or other Court of the East India Company, or any Collector acting

Judicially, shall be liable to be fined in such Court to any amount not exceeding 200 Rupees, or to be imprisoned for any period not exceeding one month. Provided that from the award of punishment in such cases in any Court inferior to a Zillah or City Court an appeal shall lie to the Court or Sessions Judge, and an appeal shall lie from the Judge to the Sudder Court to which he is subordinate. Provided also, that notwithstanding any thing in this Act it shall be lawful to indict any person amenable to Her Majesty's Supreme Courts as for a misdemeanor in any of the cases aforesaid if no proceeding shall have been had against the offender in the Court where the offence was committed, but not otherwise.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the 2d day of November next.

T. H. MADDOCK,  
*Secy. to the Govt. of India.*

FORT WILLIAM,  
LEGISLATIVE DEPARTMENT,

THE 2D AUGUST, 1841.

The following Draft of a proposed Act was read in Council for the first time on the 2d of August, 1841.

Act No. — of 1841.

*An Act for extending Act No. XXXIII. of 1839, to Camp Followers.*

I. It is hereby enacted, that in cases in which an offender, being a Soldier, is punishable under Act No. XXXIII. of 1839—Any person committing the offence provided for in that Act, and being a Camp Follower as defined by Section 2, Regulation XX. of 1810 of the Bengal Code, shall be punishable according to that Act as well as otherwise according to law; and Act No. II. of 1840, shall be applicable to Camp Followers imprisoned under this Act.

Ordered, that the Draft now read be published for general information.

Ordered, that the said Draft be reconsidered at the first meeting of the Legislative Council of India after the 2d day of November next.

T. H. MADDOCK,  
*Secy. to the Govt. of India.*





# The Calcutta Gazette

## EXTRAORDINARY.

Published by Authority.

SATURDAY NIGHT, AUGUST 7, 1841.

### NOTIFICATION. FORT WILLIAM, SECRET DEPARTMENT, THE 7TH AUGUST, 1841.

The Right Honorable the Governor General of India in Council having this-day received intelligence of the happy result of the joint operations of Her Majesty's and the Honorable Company's Naval and Military Forces in an attack upon the Chinese Forces in front of the City of Canton on the 25th and 26th of May last, is pleased to direct the publication for general information of the following Despatch from Major General Sir Hugh Gough, K. C. B., Commanding the land forces, and extracts from a Despatch addressed by Captain Sir Henry Le Fleming Senhouse, K. C. H., the Senior Naval Officer of the Fleet at Canton, to His Excellency the Naval Commander in Chief in India, which has been communicated to the Supreme Government.

These accounts of the brilliant successes of the British Arms have been received with the highest gratification by the Governor General in Council, who, in expressing his admiration of the gallant conduct of every portion of the forces employed in this Service, has deeply to lament the loss which has been sustained by the death of Captain Sir H. Le Fleming Senhouse, who is reported to have subsequently sunk under the fatigue and exhaustion caused by his exertions in the actions with the Chinese.

The Governor General in Council is pleased to direct that in honor of this Victory of the British Arms a Royal Salute be fired from the ramparts of Fort William, and at the principal Military Stations of the Army of India.

By Order of the Right Honorable the Governor General of India in Council.

T. H. MADDOCK.

Secretary to Govt. of India.

THE RIGHT HONORABLE THE EARL OF AUCKLAND,  
G. C. B.,

Governor General, &c. &c. &c.

HEAD QUARTERS, SHIP MAHON.

Canton River, proceeding to Hongkong,

June 24, 1841.

MY LORD,

My letter of the 18th from Hongkong will have made your Lordship aware of the temporary abandonment of the movement on Amoy, in order to resume active operations against Canton, consequent

upon the constant arrival and concentration of a large force from the several provinces, and other demonstrations indicative of an interruption to our friendly intercourse with the Provincial Government.

2. From the judicious and unwearied exertions of Sir Le Fleming Senhouse, the Senior Naval Officer, the Fleet of Men-of-War and Transports was prepared to sail on the 18th, but in consequence of light and variable winds, the whole did not get under weigh until the 19th. H. M. S. *Blenheim* took up her position within six miles of Canton in the Macao passage on the 21st ultimo, but the whole of the force was not assembled until the morning of the 23d, when I proceeded with Sir Le Fleming Senhouse to the vicinity of the suburbs of the City, for the double object of meeting H. M. Plenipotentiary and ascertaining, as far as possible, the extent of the enemy's preparations.

3. It being the anxious wish both of Sir Le Fleming Senhouse and myself to commence active operations on so auspicious an epoch, as the anniversary of the birth of our Sovereign, every exertion was made and the Troops were placed by 2 p. m. on that day in various craft, procured during the previous day and night by the great exertions of the Royal Navy.

4. From all the sources, from which I had been enabled to collect information, or rather from the conjectures of persons who have long resided in China, (for no European had been permitted to see the country above the Factories, and the Chinese would give no information) I was induced to decide on making my principal point of debarkation to the North West of the City, while another column was to take possession of the Factories, drawing the attention of the enemy to that quarter, and at the same time to co-operate with the Naval Force which was to attack the river defenses, in order to silence numerous new works recently erected by the Chinese along the whole southern face of the City. A most spirited and judicious reconnaissance made by Captain Belcher, of H. M. S. *Sulphur*, the previous evening, established the practicability of effecting a landing at the point I had selected.

5. Every arrangement having been completed by two o'clock, and the boats and other craft placed in tow of the Steamers, the force moved to the point of attack as follows:—

Right column, to attack and hold the Factories,	
Officers. Other ranks.	In tow of the <i>Atalanta</i> ,
15	294.
	20th Regiment, as per margin, an Officer and 20 rank and file of the Madras Artillery, with one 8-pounder and one 5½-inch mortar, and 20 Sappers, with an Officer of Engineers, under Major Pratt, of H. M. 20th.

Left column—towed by the *Newnets*, in four Brigades, to move left in front.

		Officers.	Other Ranks.
4th (Left) Brigade under Lieut.-Col. Morris, 49th Regiment.	H. M. 49th, commanded by Major Stephens, .....	28	273
	37th M. N. I. Capt. Duff, .....	11	219
	One Company Bengal Volants. Capt. Mee, .....	1	114
	Royal Artillery, Lt. Spencer, .....	2	33
3d (Artillery) Brigade under Capt. Knowles, R. A.	Madras Artillery, including Gun Lascars, .....	10	231
	Captain Anstruther, .....		
	Sappers and Miners, Captain Cotton, .....	4	137
Ordnance	4 12 pounder Howitzers.		
	4 9 pounder Field Guns.		
	2 6 pounder ditto.		
	9 5½ inch Mortars.		
	152 32 pounder Rockets.		
2d Naval Brigade under Capt. Bouchier, H. M. S. Blonde.	1st Naval Battalion, Capt. Maitland, H. M. S. Wellesley, .....	11	172
	2d Naval Battalion, Commander Barlow, H. M. S. Nimrod, .....	16	231
	Royal Marines, Capt. Ellis, .....	9	372
	18th Royal Irish, Lt. Col. Adams, .....	25	494
1st (Right) Brigade, (Reserve) Under Major Genl. Burrell.			

6. The right column reached its point of attack before 5 p. m. and took possession of the Factories, when Major Pratt made the necessary arrangements for strengthening his post, holding his men ready for offensive or defensive operations.

7. The left column, towed by the *Nemesis*, from the difficulties of the passage, with such a fleet of craft as she had in tow, did not reach the Sulphur until dusk, which vessel Captain Belcher had judiciously anchored close to the village of Tsing-hae, the point of debarkation about five miles by the river line above the Factories. I could therefore only land the 49th Regiment, with which corps I made a reconnoissance to some distance, meeting a few straggling parties of the enemy. After placing the picquets, the Corps fell back on the village of Tsing-hae to protect and cover the landing of the guns, which was effected during the night by the zealous efforts of the Artillery. The following morning, the remainder of the column landed, and the whole proceeded soon after daylight.

8. The heights to the North of Canton, crowned by four strong Forts, and the City walls, which run over the southern extremity of these heights, including one elevated point, appeared to be about three miles and a half distant; the intermediate ground, undulating much, and intersected by hollows under wet paddy cultivation, enabled me to take up successive positions, until we approached within range of the Forts on the heights and the Northern face of the City walls. I had to wait here some time, placing the men under cover, to bring up the Rocket Battery and Artillery.

9. I have already informed your Lordship that I was totally unacquainted with the country which I had to pass over, the amount of the Enemy's force, or the difficulties that might present themselves at every step; but I had the proud consciousness of feeling that your Lordship had placed under me a band, whom no disparity of numbers could dishearten, and no difficulty could check. They nobly realised, by their steadiness under fire, their disciplined advance and their animated rush, my warmest anticipations.

10. Having at 8 o'clock got up the Rocket Battery, with two 5½-inch mortars, two 12-pounder howitzers and two 9-pounder guns, a well-directed fire was kept up on the two Western forts, which had much annoyed us by a heavy fire. I now made the disposition for attack in Echelon of columns from the left, and directed the 49th Regiment to carry a hill on the left of the nearest Eastern Fort, supported by the 37th Madras Native Infantry and Bengal Volunteers, under Lieut. Col. Morris of the 49th Regt. The 18th Royal Irish, supported by the Royal Marines, under Major General Burrell, I directed to carry a hill to their front, which was strongly occupied and flanked the approach to the Fort just mentioned. This movement was to cut off the communication between the two Eastern Forts, and cover the advance of the 49th in their attack and storm of the nearest. Major General Burrell had directions to push on and take the principal square Fort, when the 49th made their rush. Simultaneous with these attacks, the Brigade of Seamen was to carry the two Western Forts, covered by a concentrated fire from the whole of the guns and rockets.

11. During the whole of the advance, my right had been threatened by a large body of the enemy, which debouched from the Western suburbs, and just as I was about to commence the attack, a report was made that heavy columns were advancing on the right, I was therefore compelled to detach the Marines under Captain Ellis, to support the Brigade of Seamen, and to cover my right and rear.

12. At about ¼ past 9 o'clock, the advance was sounded, and it has seldom fallen to my lot to witness a more soldier-like and steady advance or a more animated attack. Every individual, Native as well as European, steadily and gallantly did his duty. The 18th and 49th were emulous which should first reach their appointed goals; but, under the impulse of this feeling, they did not lose sight of that discipline which could alone insure success. The advance of the 37th M. N. I. and Bengal Volunteers, in support, was equally praiseworthy.

13. The result of this combined movement was that the two Forts were captured with comparatively small loss, and that, in little more than half an hour after the order to advance was given, the British Troops looked down on Canton within 100 paces of its walls.

14. The well-directed fire of the Artillery in the centre was highly creditable, and did great execution.

15. In co-operation with these attacks, I witnessed with no ordinary gratification, the noble rush of the Brigade of Seamen under their gallant leader, Captain Bouchier, exposed to a heavy fire from the whole of the north-western rampart. This right attack was equally successful, and here also the British Standard proudly waved on the two western Forts, while the British Tars looked down upon the north-western face of the city and its suburb.

16. During the greater part of the day, a very spirited fire from heavy pieces of Ordnance, Ginjals and Matchlocks, was kept up on the different columns, occupying the heights and forts.

17. A strongly entrenched camp of considerable extent, occupied apparently by about four thousand men, lay to the N. East of the City upon rising ground, separated by a tract of paddy land from the base of the heights. Frequent attacks were made upon my left by bodies sent from this encampment, but were as frequently repulsed by the 49th. This, however, exposed the men to a heavy fire from the walls of the City.

18. About 2 o'clock, perceiving that Mandarins of consequence were joining this force from the city, and had occupied a village in rear of my left, I directed the 49th to dislodge them. This was instantly effected in the same spirited manner that had marked every movement of this gallant corps. About 3 o'clock, it was evident that some Mandarin of high rank had reached the encampment, (I have since understood that it was

Yang, the Tartar General) and that preparations were making for a fresh attack. I ordered down the 18th, therefore with one Company of the Royal Marines to reinforce the 49th and directed Major General Burrell to assume the command, to repel the projected attack and instantly to follow up the enemy across a narrow causeway, the only approach, and take and destroy the encampment. This duty was well and gallantly performed, but I regret to say with rather severe loss from the difficulty of approach, exposed to a heavy fire from the guns and ginjaes on the N. E. face of the City wall. The enemy were driven at all points and fled across the country; the encampment was burnt, the magazines, of which there were several, blown up, and the permanent buildings of considerable extent set on fire. I had as much pleasure in witnessing, as I have in recording, my approval of the spirited conduct of Captain Grattan, who commanded the two leading Companies of the 18th, across the causeway. These Companies were closely followed by the 49th, the remainder of the 18th and Company of Royal Marines, who passed along a bank of the paddy fields to their left. The enemy not appearing inclined to move out of the Town to support this point, I directed the force to return to the heights.

19. Having reconnoitred the walls and gates, I decided on taking the City by assault, or rather upon taking a strong fortified height of considerable extent within the City wall, before the panic ceased, but the hill in our rear being peculiarly rugged, and its base difficult of approach on account of the narrowness of the path between wet paddy fields, I had only been enabled to get up a very few of the lightest pieces of Ordnance, and a small proportion of ammunition. I therefore deemed it right to await the arrival of this necessary arm to make the assault.

20. The following morning, the 26th, at 10 o'clock, a Flag of Truce was hoisted on the walls, when I deputed Mr. Thom (whom Captain Elliot had sent to me as Interpreter,) to ascertain the cause. A Mandarin stated that they wished for peace. I had explained that, as General Commanding the British, I would treat with none but the General Commanding the Chinese troops—that we came before Canton much against the wishes of the British nation, but that repeated insults and breaches of faith had compelled us to make the present movement, and that I would cease from hostilities for two hours to enable their General to meet me and Sir Le Fleming Senhouse, who kindly accompanied me throughout the whole operation, and to whose judicious arrangements and unceasing exertions for the furtherance of the united services (and I am proud to say they are united in hand and heart,) I cannot too strongly express my sense of obligation. I further explained that Captain Elliot, Her Majesty's Plenipotentiary, was with the advanced Squadron to the South of the City, and that if I did not receive a communication from him, or had not a satisfactory interview with the General, I should, at the termination of the two hours, order the white flag to be struck.

21. As the General did not make his appearance, although numerous messages were received between this time (about noon) and 4 p. m., I hauled down the white flag. The enemy however did not, which was rather convenient, as it enabled me to get up my guns and ammunition, without exposing any men to fire.

22. During the night of the 26th every thing was prepared on our side, with the exception of one 12-pounder howitzer, the carriage of which had been disabled, the guns, by the indefatigable exertion of the Officers and men of the Royal Artillery and Madras Artillery and Sappers, were placed in position. All was ready, and the necessary orders were given for opening the batteries at 7 o'clock on the morning of the 27th, and for the assault at 8, in 4 columns.

23. The right column, composed of the Royal Marines under Captain Ellis, had directions to pass through a deserted village to the right of the north gate, to blow the gate open with powder bags if pos-

sible, and if not, to escalade a circular work thrown up as a second defence to that gate.

24. The second column on the right, consisting of the Brigade of Seamen, under Captain Bouchier, was directed to make the assault by escalade on the opposite side of the circular defence, where the wall appeared comparatively low, covered by a heavy fire of musketry from the hill within pistol shot of the walls. This column would have been exposed only to the fire of a few flanking guns, which I calculated would have been kept under by the fire of the covering party.

25. The 18th Royal Irish, under Lieutenant Colonel Adams, were ordered to advance from the rear of a hill close to the five storied Pagoda, and to escalade the walls behind this Pagoda, (which was not flanked except by one gun) although they were very high, from 28 to 30 feet, but I hoped by the concentrated fire of the guns to have reduced an exceedingly high and apparently slight parapet. The escalade of this Corps was to be covered by the Bengal Volunteers and a Company of the 37th M. N. I.

26. The left assault was to be made by the 49th, under Lieut.-Colonel Morris. This corps was directed to escalade by a bastion directly in front of and commanded by the principal fort in our possession, called by the Chinese Yung-Kang-Tai, the fire of musketry from which would have prevented the enemy from making use of their guns. To strengthen this attack, two Companies of the 37th M. N. I. were to occupy the heights and keep up a rapid fire upon the wall.

27. The ground was peculiarly favorable for these several attacks, and for the effective fire of the covering parties without a chance of injuring the assailants. The heights which we occupied are from 90 to 250 paces from the city wall, with a precipitous gleen intervening. On making a lodgement on the walls, each column was to communicate with and support that on its inner flank, and when united, to make a rush for the fortified hill within the walls, on which the Artillery was directed to play from the moment the advance was sounded. I directed Captain Knowles to ascertain, as far as practicable, by the fire of heavy rockets and shells, whether it was mined, which alone I apprehended—the Chinese usually forming their mines so as to make them liable to explosion by such means.

28. The flag of Truce still appeared upon the walls at day-light on the 27th, and at quarter past six o'clock I was on the point of sending the Interpreter to explain that I could not respect such a display, after my flag had been taken down, and should at once resume hostilities. At this moment, an Officer of the Royal Navy, who had been travelling all night, having missed his way, handed me the accompanying letter from H. M.'s Plenipotentiary. Whatever might be my sentiments, my duty was to acquiesce—the attack, which was to have commenced in 45 minutes, was countermanded, and the feelings of the Chinese were spared. Of the policy of the measure, I do not consider myself a competent judge: but I say feelings, as I would have been responsible that Canton should be equally spared, with exception of its defence, and that not a soldier should have entered the Town further than the fortified heights within its walls.

29. At 10 o'clock, Yang, the Tartar General, requested a conference, when Sir Le Fleming Senhouse accompanied me, and a long and uninteresting parley ensued, in which I explained that H. M. Plenipotentiary having resumed negotiations with the local authorities, I should await a further communication from him. At 12, Capt. Elliot arrived in camp, and all further active operations ceased.

30. The following day at 12, in a conference with the Kwang-chow-Poo, under the walls, every arrangement was made for the evacuation of the city by as large a portion of the Tartar troops as could be got ready, and I permitted a Mandarin of rank to pass